DEINOLOGY:

OR, THE UNION OF

REASON AND ELEGANCE:

BEING

INSTRUCTIONS TO A YOUNG BARRISTER.

WITH A

POSTSCRIPT,

SUGGESTING SOME CONSIDERATIONS ON THE VIVA VOCE EXAMINATION OF WITNESSES AT THE ENGLISH BAR.

By HORTENSIUS.

Quid dicat, et quo loco, et quo modo.

CIC.

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BRITISH MUSEUM

THE FOLLOWING OBSERVATIONS

ARE,

WITH GREAT RESPECT,

INSCRIBED

TO THE GENTLEMEN OF THE ENGLISH BAR,

BY

THEIR OBEDIENT

HUMBLE SERVANT,

HORTENSIUS.

Power above Powers, heavenly eloquence!
That with the strong reign of commanding Words
Doth manage, guide, and master the eminence
Of men's affections more than all their swords.

S. Daniel's Mus. Philus.

INTRODUCTION.

GOOD ſpeaking is ſo direct a road to riches and honors in this country, that the cultivation of it might naturally be expected to be one of our moſt favorite purſuits; yet, ſo it is, that our orators are for the greateſt part Heaven-born as well as our generals.

The oratory of the Engliſh bar, in particular, is wild and vicious, and the ſucceſs of thoſe few of our lawyers, who riſe to a degree of eſtimation as publick ſpeakers, ſeems to be entirely owing to the exertions of ſtrong parts and maſculine underſtandings, breaking through

and ſurmounting all the incumbrances of a bad ſtile and an ungraceful elocution. We are content to fatigue our attention in liſtening to theſe men, becauſe we are ſure that their matter and their acuteneſs in the application of it, will, in the end, make us compenſation. But the pleaſure of hearing them, if it be a pleaſure, is almoſt always qualified by the incorrectneſs of their language, the unconcluſiveneſs of their arguments, and the dryneſs of their diction.

This is the more extraordinary, as they have the examples of other bars, by which they might form themſelves. The eloquence of the French bar, ſomewhat chaſtened, would be a good model for them. Their fellow-labourers, almoſt in the ſame vineyard, the Scotch advocates, ſpeak and write often elegantly, always correctly. The *factums* of the one, and the *plaidoyers* of the other, are ſo ſuperior

rior to the very beſt performances (two or three excepted) of the Engliſh bar, that I bluſh for my countrymen.

Converſing with a friend on this ſubject, who knew a little more of the interior of our bar-education than I did, he ſarcaſtically obſerved to me, that attorneys deſks, and ſpecial pleaders ſhops, were ſorry ſchools of eloquence: that Cicero and Demoſthenes diſdained to aſſociate with the *Inſtructor Clericalis* and *Brown's Vade Mecum*.

He went on to inform me that *Lord Chancellor Hardwicke*, *Lord Bowes*, a late Chancellor of Ireland, and *Sir John Strange*, late Maſter of the Rolls in this country, had been brought up together at an attorney's deſk; that they had emerged, and by dint of extraordinary talents, had raiſed themſelves to the firſt ſituations, under all the diſadvantages of

their vulgar education; that it had immediately become the faſhion to conſider clerkſhip to an attorney as the certain road to the emoluments and honors of the profeſſion; and that the conſequence was, that, at one time, all the young men of the country, who were intended for the bar, when they ſhould have been at *Athens*, and at *Rome*, in the *Lyceum*, or *inter Sylvas Academi*, were learning their way to the *King's Bench, and Curſitor's Office*.

Of late, added he, the tide has turned. The late Mr. *Juſtice Yates*, and the Attorney General *Wallace*, roſe from being men who ſpun forms of law, commonly called *ſpecial pleading*, to great eminence. Now we are all *ſpecial pleaders*.

I heard thoſe obſervations without going the whole length of the way with my ſanguine friend. It occurred to me that

that theſe were ſchools in which the anatomy of the law might perhaps be ſtudied with advantage; and I am therefore diſpoſed to agree, that the *Inſtructor Clericalis*, and *Brown's Vade Mecum*, might be allowed a place in a lawyer's library, but not on the ſame ſhelf with CICERO and DEMOSTHENES. Theſe muſt be reſtored to their rank, if we wiſh to reſtore the impaired dignity of the Engliſh bar.

That it is impaired, I think, its moſt devoted friends will allow: and, perhaps, this is a moment when any well meant attempt to reſtore it, may be received with ſome degree of fervor.

A new ſtar has appeared in our legal hemiſphere. The eminent perſon whom I allude to, has the natural gifts of quick parts, a brilliant imagination, and rapid elocution; but his eloquence derives that dazzling

dazzling luſtre with which it is irradiated, from the acquirements of logical and rhetorical ſupport and ornament. With not a greater ſtock of dry law, he will allow me to ſuppoſe, than many of his cotemporaries, he appears to know more, and certainly directs his knowledge to its point with more effect than they can do. I appeal to thoſe, to whom he is every day oppoſed, whether they do not find themſelves hourly entangled in his ſplendid ſophiſms, and what exertions it coſts to flounder through them. If they would condeſcend to learn to uſe the ſame weapons, they would ſuſtain the conflict with better effect, and with far more eaſe and credit to themſelves.

With a view to render the principles of Logic and Rhetoric ſomewhat more familiar to the Engliſh bar, I have ſelected from other writers on this ſubject, what I conceived to be their beſt remarks,

marks, and have added to them ſome few looſe thoughts of my own in the form of an advice to a Young Barriſter. If this humble attempt to ren[illegible] myſelf in ſome ſmall degree uſeful to a profeſſion which I highly honor, ſhall be favorably received, I may, perhaps, on ſome future occaſion, go a little deeper into the ſubject.

DEINOLOGY.

DEINOLOGY, &c.

THE perfection of ſpeech depends upon beauty of thought and beauty of expreſſion. As the excellence of ſpeech is thought, ſo the value of thought is truth. Notwithſtanding this, what rules is the young barriſter in poſſeſſion of by which he may weigh his thoughts or rectify them? Mere Rhetoric is of no manner of uſe to him: its inſufficiency is but too well felt, when he has recourſe to it, ſeparately from the art of thinking. Rhetoric alone very often aims at nothing elſe than ſeducing the ear by the charms of ſound. It teaches the myſtery of colouring, regardleſs of the art of drawing. TULLY has complained of this divorce of Philoſophy and Rhetoric, of the tongue and the heart.

Hinc diſſidium illud extitit quaſi linguæ atque cordis, abſurdum ſane atque reprehendendum.

In ſpite of this public complaint, and that of many other writers, we feel that this fatal ſeparation ſtill exiſts, nor is it at all likely that an union will ſoon be effected.

But, if this literary diſorder cannot be wholly and at once remedied by the ſingle exertions of any one individual, it is at leaſt poſſible, to adapt to rhetoric a ſpecies of logic peculiar to itſelf, ſtripped of technical aſperities and metaphyſical abſtractions.

To be convinced of the neceſſity, the utility, and even the eaſe of forming an alliance betwixt the ſtudies of logic and rhetoric, I deſire you would conſider that they both tend to one and the ſame object, I mean PERSUASION: the only difference is in the means they employ. Logic makes uſe of the conciſe language of reaſon only, but rhetoric embelliſhes its arguments with the graces of ſtyle, and enlivens them with the warmth of ſentiment. Logic addreſſes itſelf perſonally to the mind; rhetoric conveys its reaſons through the interpoſition of the heart.

The

The art of ſpeaking, of writing, and of judging well, is learned by ſtudying a certain ſet of PRECEPTS, laid down by eminent maſters, by READING, and by frequent COMPOSITION. Precepts require nothing but memory and accuracy; method and ſelection muſt be attended to in your reading, and you muſt be poſſeſſed of taſte and materials for compoſition.

With regard to precepts, they are greatly miſtaken who believe themſelves rhetoricians by laying up in their memory the principles of the art. Precepts are, with regard to rhetoric, what the ſkeleton is to the human body. By ſtudying it, one may learn to know the diſtribution of the nerves, but it never can give the idea of the plenitude and beauty of form. The ſtudy of the rules of rhetoric is therefore to the pupil of eloquence what anatomy is to the young painter. In order to deſign correctly, he muſt know the ſtructure of the body; but, however perfect he may be in this knowledge, the art of colouring is ſtill wanting, and, to give life to the canvas, he muſt ſtudy nature, and thoſe who

have excelled in imitating it. Thus, in eloquence there are general and particular precepts for every branch, which regulate the diſpoſition of each part; but they neither prompt ideas to fill the diviſions, nor contribute proofs to perſuade, nor rouſe ſentiments to move. They neither give the energy nor the heat of ſtile which diſtinguiſh the eloquent orator from the frigid rhetorician.

I forbear troubling you further on the ſubject of rhetorical precepts. They have been handed down to us, and explained by numerous writers, who ſeem to have made that ſtudy their only occupation; but with regard to reading, I muſt inſiſt on your attending to a few neceſſary obſervations. You cannot be too ſoon appriſed of its importance.

Reading is the food of the mind; it forms taſte, enriches knowledge, and refines reaſon. The gay, the giddy, the frivolous, read without expanſion of ſoul, or improvement of their mental powers. They read without choice, without ſyſtem, and with heedleſs precipitation. The impreſſions and the objects ſucceed each other with ſuch rapidity, that the

firſt is effaced by the following, and all are jumbled together in the memory, ſo that after much reading, the men I allude to have only acquired the equivocal talent of diſguſting ſound minds with embryo ideas loſt in a luxuriancy of words.

Young men are, in general, counſelled to read much. If they adhere to this advice; if they devour every book that falls in their way, as is uſually the caſe, even with thoſe who have the beſt intentions, they overſhoot the mark, and their purpoſe is diſappointed. Amuſement only will become their aim. They will give up Tillotſon, Blackſtone, Addiſon, Steele, Congreve, &c. for a novel, that is, for reading of a nature the moſt dangerous to the undecided taſte of a raw mind. I am well aware that there are ſome few of theſe ephemeral productions that may be run over with a ſort of advantage, but this muſt not be during the period allotted you for laying the foundation of manly eloquence. A young man may read Don Quixote twenty times over before he perceives the acuteneſs of the author, or feels the moral aim of the

work. It will appear to him a tiſſue of extraordinary events only, and eccentricities of a wild imagination. You well know that in romances, or even novels, things are generally puſhed to the extreme. If they treat of virtue, it loſes its name, and becomes heroiſm or fantaſtic virtue. They always addreſs themſelves to fancy, and lead her a chace after ideal happineſs, which nothing but cool reaſon, in a more advanced period of life, can put a ſtop to.

For the preſent, therefore, leave every work of this nature, even the beſt, and peruſe none but ſuch as are recommended to you for truth, ſolidity, and elegance.

To guard you againſt this intemperance of reading, I muſt aſſure you that the number of books on which you ſhould form your taſte, is by no means conſiderable. Let your friends ſee maſter-pieces only in your hands. Attach yourſelf, at firſt, to their thoughts, and acquire, by every exertion of aſſiduity, that harmony of ſtile which wins the ſoul by charming the ear; thoſe felicities of expreſſion that rules cannot reach to, and that combination

bination of ſounds, by the means of which you will paint and impreſs your ideas.

Be not precipitate: call yourſelf often to account for what you have read. I would counſel you, at firſt, to take down the heads in writing. You will ſoon find yourſelf able to remember them without this aſſiſtance; and, beſides, you will imperceptibly make yourſelf maſter of the art of *analyſis*, which is the ſureſt and ſhorteſt road to inſtruction.

By what I have ſaid, you muſt be perſuaded that reading is not unlike thoſe energetic remedies which produce wonderful effects when properly adminiſtered, but which, at the ſame time, may have a very dangerous conſequence, if prudence does not regulate the uſe that is made of them.

Compoſition is the remaining branch of the ſtudies of a young barriſter; the other two are ſubſervient to it: for, without a proper uſe of the rules, without reading and meditating the beſt authors, your attempt to ſucceed in it will be vain. You muſt have ideas, before you can expreſs them. To perſuade, which

by the way, will not be the moſt unimportant part of your buſineſs, to deſerve the name of a good ſpeaker, you muſt diſplay truth ſurrounded with all the powers of conviction. You muſt know how to affect, to rouſe, to ſooth, in a word, how to maſter the paſſions: but who will teach you the avenues to the heart; who will inform you how to arm reaſon and adorn it; who will communicate the language of the paſſions to you, if you are not daily and hourly converſant with the beſt orators and maſters in the art, if you do not make it your ſerious ſtudy to be well acquainted with the firſt writers in every branch of elegant literature? You muſt compare them together; you muſt contraſt the ſtrength of one with the ſweetneſs of another; you muſt mark the peculiar manner and diſtinguiſhing character of each; you muſt obſerve the many ways there are to arrive at excellence in the ſame ſpecies of oratory; you muſt dwell with increaſing pleaſure on a fine paſſage, and put the queſtion to yourſelf, had I the ſame ideas to communicate, how ſhould I clothe them? Thus, by working in the richeſt mines of elegant literature,

literature, by having recourſe to the fountain-heads of knowledge, you will gradually experience that perſpicuous method will ſteal into practice, and that eloquent facility will ingraft itſelf upon genius.

After theſe general obſervations, which are merely preliminary to the ſubject before us, I ſhall now enter upon my undertaking, and attempt to convince you that it is not impoſſible to form an aſſociation betwixt REASON and ELEGANCE at the bar, and that law-logic will be no inconſiderable gainer, by taking in rhetoric as its auxiliary.

The perfection of our intellectual faculties is the buſineſs of the art of reaſoning. This corrects our thoughts, arranges our arguments, and rectifies our judgments.

Logic rectifies our perceptions, or our ideas, by limiting or extending them. Too general ideas would create confuſion; ideas too bounded would not embrace their object in all its extent. We are taught by logic to avoid both thoſe defects.

Logic rectifies our judgments, by teaching us how to diſpoſe and group our ideas, ſo that

that there may be an univerſal agreement among them: and it rectifies our reaſoning by laying down certain rules which help us to draw good concluſions from true principles.

In order to make young people conceive the object of logic, and its effects, dialecticians have thought it neceſſary to quarter the ſoul into four faculties, to each of which peculiar powers are aſſigned. Theſe faculties are Underſtanding, Will, Judgment, and Reaſoning. But, if there can be no real diviſion in the ſoul, why adhere to the antiphiloſophic cuſtom of dividing a being without parts? As they are under the neceſſity of informing young people that theſe diſtinctions are chimerical, they ſhould not lay them down as the ground-work of their future knowledge. Inſtead of beginning a courſe of philoſophy by a diſtinction of faculties, which appear to be each a fourth part of a ſoul, it ſeems more reaſonable not to give youth room to believe that they have one ſoul who perceives, another who judges, a third who reaſons, and a fourth who wills. Beſides, it is no hard matter to make them comprehend, that ideas

are

are the acts of the ſoul who perceives; determination or will the act of the ſoul who wills; judgment the act of the ſoul who judges of the relation of ideas, and reaſoning the act of the ſame ſoul, when ſhe compares her judgments with one another. Theſe true notions would not expoſe them to miſtake the effects for the parts of a ſimple cauſe.

That you may form to yourſelf an idea of the rectitude that logic gives to the ſeveral operations of the mind, you muſt previouſly make an exact diviſion of theſe operations. The mind has ideas, it forms judgments, flows out into ratiocination, and produces ſentiments. It has its peculiar education, and we feel it grow in a manner with the body that it animates. Reflection, compariſon, and induction, which are all logical operations, viſibly and ſenſibly improve it. Thus, logic may be happily applied to ſentiment itſelf, which the voice of reaſon, and the teſt of experience can therefore rectify. But the chief uſe of logic is to direct the mind in its manner of ſeeing and announcing the objects it perceives, to methodiſe and

produce its ideas, and to learn and teach the ſciences.

All minds are more or leſs correct, have more or leſs of obliquity, and are more or leſs ſubtle, or ſuperficial. To all logic is neceſſary. A naturally right mind will perceive and repreſent things in their true point of light, but ſtill it often ſtands in need of a priſm to diſtinguiſh the colours with certainty, and to prevent it from mixing the true ſtreams of light with the fictitious hues of fancy. It wants to be guarded againſt the ſeduction of its own ſenſes and paſſions, as well as againſt thoſe of others.

Logic can, to a certain degree, rectify, as well the inaccurate, which ſees and paints its objects in a falſe light, as the ſubtle and ſuperficial mind, which in its inveſtigation of things is apt to ſearch for relations too minute or too remote, which miſtakes the ſemblance for the ſubſtance, and is guided on its way to truth only by the unſafe torch of imagination, which ſeduces ſometimes, but never can oppoſe with ſucceſs the plain and perfect voice of reaſon. In a word, thoſe minds

minds which are of themſelves unable to attain truth, and who only cloud it from the eyes of others, may all of them approach it under the direction of logic. Such is the uſefulneſs of this eſſential art, the acceſs to which has been unfortunately overgrown with thorns, but is not impervious to courage and perſeverance.

You may obſerve by what I have ſaid, that, in order to acquire knowledge in general, as well as to make a proper uſe of knowledge acquired, logic is of the greateſt utility: but what I wiſh particularly to impreſs upon your mind is, that the orator is in a very peculiar manner indebted to it. Perhaps it may not be neceſſary that you ſhould be initiated into all the myſteries of logic, but to a certain degree you ought to be maſter of it, if you would hope to acquire the talent of uniting reaſon and elegance.

Logic, in this view, will give preciſion and accuracy to your ſtile, vigour to your conceptions, method to your ideas, and certainty to your reaſoning. It will prompt ſagacity to unveil a ſophiſm; it will infuſe power to enforce

enforce perſuaſion, and refute objection; it will inſpirit the means of conviction, and inſure ſucceſs.

Logic and rhetoric are one and the ſame art in two different poſitions. The difference was well underſtood by Zeno, when he compared logic to the hand when ſhut, and rhetoric to the hand when open; that is, one to the fiſt, on account of its collected power, and the other to the palm, for the beauty of its proportions. Logic draws, rhetoric colours; logic ſketches, and traces the plan; rhetoric fills, ſtrengthens, adorns, beautifies, and animates. Both tend to perſuaſion, though it be by different ways. The ſeverity of the firſt admits of no other art but that of compreſſing reaſon; fearful of weakening, it avoids embelliſhing it; confident of its intrinſic value, it diſdains dreſs; it aims at victory, but means that the laurel ſhall be placed on the brows of reaſon. Rhetoric, leſs preſumptuous perhaps, ſeems unwilling wholly to rely on the ſtrength of reaſon: it adds the glow of ſentiment; it judges of, and diſpenſes all ſhadowings, tints, and ſeaſonable decorations.

decorations. In a word, as a ſpeaker, you muſt never diſunite theſe two arts. By ſtudying the nature of both you will learn to join ſtrength to delicacy, preciſion to copiouſneſs, juſtneſs to elegance, and ſymmetry to variety: you will ſtorm the ears and hearts of your auditors, by incorporating the iron of logic with the irreſiſtible fire of eloquence.

I have ſaid that it might not be neceſſary to initiate you into all the myſteries of logic, I will therefore only attempt to trace ſuch of its leading features as may expreſs that general view of it, that it belongs to my preſent purpoſe to exhibit to you: both logic and rhetoric ſet out with definition.

A logical definition is one or more ideas explaining the nature of the thing to be defined.

A definition, to be good, ſhould explain the thing that it defines in terms more clear than thoſe in which it is conveyed. There muſt not be one ſingle word of it without its uſe: it muſt comprehend all the thing that is to be defined, and that thing only; that is to ſay, that under what light ſoever you conſider an

an object, its definition ſhould agree to it, and to it alone.

Rhetoric defines likewiſe, but with greater latitude and fuller liberty. The rules of an oratorical or a poetical definition are indeed the ſame as thoſe of a logical definition: that is, both muſt give a clear and diſtinct idea of the things they define: but the orator and the poet, in lieu of confining themſelves to the *nature* of objects, conſider them, ſometimes in their cauſes, and ſometimes in their effects: thus it is, that by the means of acceſſary ideas, you will always obſerve their definitions ſkirted, if I may uſe the expreſſion, with all the brilliancy of imagination. Cicero furniſhes us with an elegant example of an oratorical definition of praiſe.

Eſt autem gloria laus recte factorum, magnorumque in rempublicam meritorum, quæ cum optimi cujuſque, tum etiam multitudinis teſtimonio comprobatur *.

* Praiſe is the well merited applauſe for upright actions and public ſpirited atchievements, approved of not only by the good in particular, but by the world in general.

Phil. 1.

As a logician, Cicero would have reduced it to this, *Gloria eſt frequens de aliquo fama cum Laude. Praiſe is honorable mention frequently made of a perſon:* but as an orator, he is equally exact, and much more intereſting, by the harmonious diſplay of the cauſes of praiſe, and of thoſe by whom it is given.

Thus again the Divinity, in Milton, beautifully defines Adam's future conſort.

> What next I bring ſhall pleaſe thee, be aſſur'd;
> Thy likeneſs, thy fit help, thy other ſelf;
> Thy wiſh exactly to thy heart's deſire.

And a little further on there is another given, (perhaps a more accurate one) of the ſame ſubject.

> ——— I now ſee
> Bone of my bone, fleſh of my fleſh, myſelf
> Before me; woman is her name, of man
> Extracted: for this cauſe he ſhall forego
> Father and mother, and to his wife adhere,
> And they ſhall be one fleſh, one heart, one ſoul.

A logician, inſtead of having recourſe to ſo many adjuncts and ornaments, would have ſimply ſaid, that *woman is the likeneſs of man,*

given to him for the purpoſe of propagating his ſpecies.

The following is a charming definition of *thought.*

> The hermit's ſolace in his cell,
> The fire that warms the poet's brain,
> The lover's heaven or his hell,
> The madman's ſport, the wiſe man's pain.

There are three different oratorical ways of defining, which I particularly recommend to your practice. The firſt manner is to convey the thing to be defined to the underſtanding, by ſtripping it of its properties and qualifications. Thus Tully, in his oration for Cluentius, defines *a mother* by demanding;

At quæ mater? quam cæcam crudelitate et ſcelere ferri videtis: cujus cupiditatem nulla unquam turpitudo retardavit, quæ vitiis animi in deterrimas partes jura hominum convertit omnia: cujus ea ſtultitia ut eam nemo hominem, ea vis ut nemo fœminam, ea crudelitas ut nemo matrem appellare poſſit *.

A ſecond

* *Is this a mother? A woman unſexed by cruelty, and ſtained with murder; a woman whoſe paſſions hurried through every ſpecies*

A ſecond way of defining oratorically is to diveſt the object of all that is foreign to it, and dreſs it in its own properties. Thus again Tully in the firſt of his Philippics:

Credo enim vos homines nobiles, magna quædam ſpectantes, non pecuniam, ut quidam nimis creduli ſuſpicantur, quæ ſemper ab ampliſſimo quoque clariſſimoque contemta eſt, non opes violentas et populo Romano minimè ferendam potentiam, ſed caritatem civium et gloriam concupiſſe *.

The third way of defining that I alluded to is, by expreſſing the contrary, or oppoſite, as well as the inherent qualities. Thus Cicero, in the ſecond of his Philippics:

ſpecies of turpitude; whoſe black mind wickedly and wantonly perverted all the rights of human nature; whoſe wretched folly is ſuch, that you cannot give her the name of man, whoſe violence is ſuch, that ſhe cannot be called a woman; and whoſe barbarity is ſo great that nobody will dare call her a mother.

* *For I do believe that men of your great birth and high views, however the credulous may ſuſpect the contrary, have never ſet your hearts upon money, the contempt of the firſt in rank as well as of the firſt in power; nor property wreſted from the lawful owners, nor exceſſive power, the abhorrence of the Roman people; but what you all thirſted after was the love of your fellow citizens, and the glory of the republic.*

Et nomen pacis dulce eſt, et ipſa res ſalutaris; ſed inter pacem et ſervitutem plurimum intereſt. Pax eſt tranquilla libertas, ſervitus malorum omnium poſtremum, non modo bello, ſed morte etiam repellendum †.

In the firſt of theſe three examples, which I have taken from the Roman orator, a *mother* is defined by thoſe qualifications which directly oppoſe and deſtroy the ſofter ideas that nature has attached to that endearing name. This made for the orator's purpoſe; had he ſimply defined *Saſſia* to have been the woman who gave birth to *Cluentius*, he would not have rendered her the object of public execration, as he has moſt effectually done.

In the ſecond example he defines a true lover of his country, by informing us what a man of this deſcription would do, and what he would avoid doing, for the ſake of his country: and, in the third, he diſplays the

† *The very name of peace is ſweet; peace itſelf is ſalutary. But there is a world of difference betwixt peace and bondage. Peace is tranquil liberty; bondage the worſt of all evils. We ſhould not only riſe in arms againſt it, but die the worſt of deaths ſooner than yield to it.*

nature

nature of *peace*, by happily contraſting it with the very worſt effect of an oppoſite ſituation, bondage.

To the above ways of defining, I ſhall add one more very pleaſing, and of courſe very oratorical. This ſpecies of definition is uſed, where the purpoſe is not ſo much to define the object, as to prove a more general propoſition. Thus La Fontaine, in order to prove this general truth, *That man is happy who is bleſſed with a true friend*, defines a friend by thoſe circumſtances only which are directed to the happineſs of the other friend.

Qu'un ami veritable eſt une douce choſe ?
Il cherche vos beſoins au fond de votre cœur ;
Il vous epargne la pudeur
De les lui decouvrir vous meme ;
Un ſonge, un rien, tout lui fait peur
Quand il s'agit de ce qu'il aime *.

* *Happy the man who has a real friend!*
He ſearches every corner of his heart,
And if his wants or ſorrows he can end,
He ſpares confeſſion's ſmart :
A dream, a trifle, makes him fly
To ſcreen his friend, when danger's nigh.

The ſtrictneſs required in logical definitions renders them extremely uncommon; for which reaſon, you will frequently be under the neceſſity of having recourſe to deſcriptions. The difference betwixt a deſcription and a definition is this: the firſt has only to diſtinguiſh its object by ſome diſcriminative quality: the other muſt clearly inform the mind of the nature of the thing; the conſequence of which is, that, as very few objects are known by their nature, or their eſſential attributes, you will meet with but very few, which it will be in your power to define. You muſt, in theſe inſtances, recur to deſcription. Logic, however, even when it deſcribes, preſerves ſomething of its rigid preciſion; whereas rhetoric takes the whole field of ornaments and acceſſaries. Here it is laviſh of its riches, and runs ſo cloſe upon the confines of poeſy, that it almoſt loſes ſight of thoſe of logic.

There is but one general rule I would have you attend to in deſcribing: that is, ſtrongly to characterize your object in thoſe parts which

which are of the moſt importance to your purpoſe.

Congreve's deſcription of a coquet comes accurately up to this rule.

Fair Amoret is gone aſtray,
Perſue and ſeek her ev'ry lover;
I'll tell the ſigns by which you may
The wand'ring Shepherdeſs diſcover.

Coquet and coy, at once her air,
Both ſtudied, tho' both ſeem neglected;
Careleſs ſhe is, with artful care,
Affecting to ſeem unaffected.

With ſkill her eyes dart every glance,
Yet change ſo ſoon you'd ne'er ſuſpect 'em;
For ſhe'd perſuade they wound by chance,
Tho' certain aim and art direct 'em.

She likes herſelf, yet others hates,
For that which in herſelf ſhe prizes;
And while ſhe laughs at them, forgets
She is the thing that ſhe deſpiſes.

Milton in his fourth book is uncommonly happy in limning the character of wedded love.

Hail wedded love, myſterious law, true ſource
Of human offspring, ſole propriety

In paradiſe of all things common elſe:
By thee, adulterous luſt was driven from men,
Among the beſtial herds to range; by thee,
Founded in reaſon, loyal, juſt, and pure,
Relations dear, and all the charities
Of father, ſon, and brother firſt were known.
Far be'it that I ſhould write thee ſin or blame,
Or think thee unbefitting holieſt place;
Perpetual fountain of domeſtic ſweets;
Whoſe bed is undefil'd, and chaſte pronounc'd
Preſent or paſt, as ſaints and patriarchs us'd.
Here love his golden ſhafts employs, here lights
His conſtant lamp, and waves his purple wings,
Reigns here and revels———

You cannot but be pleaſed here to meet with a deſcription taken from a foreign author, which, in my mind, ſurpaſſes any thing of the kind I have ever ſeen for penetration, accuracy, and elegance. What I allude to is Flechier's deſcription of wit.

"What is this wit which feeds the vanity of men? If we examine it in a natural light, it is a fire liable to be extinguiſhed by the ſlighteſt vapour of indiſpoſition: it is a delicate conſtitution, which a trifle may diſorder: a happy organization, which a ſhort hour may diſturb and wear down; an aſſemblage and a certain movement of animal ſpirits, which are ſoon exhauſted and loſt; it is the moſt quick

quick and ſubtle part of the ſoul, which ſeems to grow old and languid with the body; it is the eſſence of reaſon which evaporates ſo much the ſooner, as it is more delicate and refined. If we conſider this ſcintillating flame in a higher view, it is a part of ourſelves more curious than wiſe, and ever bewildering itſelf in its own imaginations. It is a haughty power, which often counteracts meek ſimplicity and amiable humility, and leaving truth for falſehood, is only ignorant of what it ſhould know, and only knows that of which it ſhould be ignorant."

This example is a proof that eloquence may be indebted to deſcription for ſome of its moſt brilliant paſſages.

To perſuade, in order to come at and diſcuſs truth, there is no ſurer, ſhorter, or clearer way than to begin by a good definition, or an exact deſcription of the thing before you. Obſcurity, contradiction, and of courſe, much wrangling, even error itſelf, will almoſt always diſappear, if you take care previouſly to fix the ſtate of the queſtion, and explain the point which you mean to contend or eſtabliſh: one ſingle judicious definition throws light upon a whole ſpeech, a diſſertation, and even a whole work. Falſe

reaſoning and abſurd contention generally ſpring from the error in, or the omiſſion of, a definition or a deſcription.

The next thing I deſire you would turn your mind to is diviſion, or the ſeparating of one whole into its different parts. There is but one rule to be obſerved on occaſions of this nature, that is, you muſt take care that all the members of your diviſion, when taken together, be equal to the whole which you divide. It is for this reaſon that the ancient diviſion of the Earth into Europe, Aſia, and Africa, was defective, becauſe theſe three do not make up the whole Earth without America. A diviſion may alſo be erroneous, by exhibiting more parts than the object contains. I muſt, at the ſame time, recommend to you, that you do all you can to contraſt the different members of your diviſion with one another, elſe you will appear to have divided without any motive or foundation.

What I have here ſaid more particularly belongs to logical diviſion. With regard to the art of ſpeaking, the principal rule you

are

are to attend to, is, that the members of your diviſion enter not into one another, that is, there muſt be nothing in one member of what is contained in another: for inſtance, you would tranſgreſs againſt this rule, if, in order to prove that William is a dangerous ſubject, you ſhould ſay,

I will make it clear that William has done harm to the ſtate, not only by his factious diſcourſes, but alſo by his ſowing every where the ſeeds of diſturbance.

Here the error is, that you cannot ſpeak factiouſly without ſowing the ſeeds of diſturbance, ſo that, in fact, you ſeem to divide without really doing ſo.

This is no uncommon defect with orators. Their diviſions and ſub-diviſions, inſtead of being witty and florid, ſhould be obvious and ſimple. They ſhould never fatigue the mind, nor confuſe the memory; they ſhould draw the ſubject forth, and not bury it; they ſhould always intereſt, and never tire the audience. If you would be happy in your diviſions, you muſt chooſe ſubjects that preſent various views of things,

things, and by deep meditation make yourſelf maſter of them all.

——Cui lecta potenter erit res,
Nec facundia deſeret hunc, nec lucidus ordo.

Cicero is always clear and ſimple in his diviſions. R. Amerinus is accuſed of having killed his father. Obſerve how the Roman orator divides the ſpeech in which he undertakes to prove that his client is innocent, and that the accuſers themſelves are the real authors of the murder.

R. Amerinus has not killed his father, becauſe he had no motive to induce him to commit the crime; and, becauſe, though he had had a reaſon, the means were not in his power. The accuſers themſelves are guilty of the deed, becauſe they had motives that urged them on to the perpetration of it, and the means of effecting their bloody purpoſe.

In his oration for the Manilian law, the point to gain was, that Pompey ſhould carry on the war of Aſia againſt Mithridates and Tigranes.

Tigranes. Mark how Tully divides his means of perſuaſion.

The war in Aſia Minor is indiſpenſable; it is of the utmoſt importance, and replete with danger. Pompey is the greateſt general of the republic; he therefore muſt be preferred to that arduous commiſſion.

Then follow the ſubdiviſions, which are as clear and as natural as the diviſion itſelf is ſimple. In them the orator ſhews and proves the neceſſity, the importance, and the danger of the Aſiatic war, and the great abilities which give Pompey the pre-eminence over all his fellow-citizens. This ſpeech is particularly remarkable for the number and preciſion of its ſubdiviſions. Again,

Gracchus deſires to rob Archias of the honor of being a Roman citizen. Cicero undertakes to prove, that not only the poet ſhould not be deprived of that honor, ſince he really had acquired a right to it, but that even, if he was not already in poſſeſſion of it, it ought to be conferred upon him.

You muſt, ſays Marmontel, embrace the whole idea of your ſubject in the diviſion, and not

not content yourſelf with exhibiting only one ſide of it. It is not that you are under the neceſſity of treating a ſubject according to its full extent, when this extent reaches beyond the limits of a ſingle ſpeech; but when you ſhall have meaſured your ſubject, and, if too vaſt, reduced it, you muſt, in the diviſion, which is a ſketch of what you are to ſay, give it all the generality and extenſion it will admit of. If, in a diſcourſe on ambition, one were to ſay,

Through ambition men become either ſlaves, or tyrants:

This diviſion preſents us with nothing but two very limited ſides of the ſubject: but if one were to conſider ambition in what it requires of the ambitious, and in what it procures them, the picture would be a great deal larger, and the ſubject would ſhew itſelf at once with all the extent it could poſſibly have. You muſt never take up your ſubject in a narrow point of view: employ what art you will throughout the work, the feebleneſs of the firſt conception will ſtill be perceivable, and in ſpite of whatever brilliant tatters you may ſtitch together, its deformity will always be viſible through

through them. Beſides, when the principal idea is a narrow one, the ideas that it produces, and thoſe it gathers on its way, cannot but partake of its nature. If the plans of Mr. Fox are very often ſurcharged, it is becauſe his principal idea is ever fertile, productive, rich and generative of a multitude of ideas like itſelf.

If your diviſions are good, you may always lay claim to the merit of perſpicuity. They facilitate the knowledge of things, by ſeparating them from the general maſs. They are the ſource of order, regularity, and method. In ſhort, the diviſion of ideas and of things will enable you to graſp them at once, and retain them for ever. But avoid all exceſs. Let your diviſions be neither too frequent nor too few: and, if after the diviſion, you perceive that it neither creates light nor diffuſes regularity, efface it, as being uſeleſs and embarraſſing.

Writers of every deſcription make uſe of diviſion: the epic poet divides his narration into ſo many books or cantos; the tragic and comic poets divide their action into acts and ſcenes;

ſcenes; and orators, as I have already ſaid, divide their ſpeeches into parts.

I cannot take leave of this ſubject without giving you an inſtance of a remarkable diviſion, which, if I miſtake not, you may find in the firſt book of Cicero's Offices: it runs thus:

Sed omne quod honeſtum eſt, id quatuor partium oritur ex aliqua: aut enim in perſpicientia veri, ſolertiaque verſatur: aut in hominum ſocietate tuendâ, tribuendoque ſuum cuique et rerum contractarum fide, aut in animi excelſi atque invicti magnitudine et robore: aut in omnium quæ fiunt, quæque dicuntur, ordine et modo, in quo ineſt modeſtia et temperantia. This contains an accurate diviſion of probity into the four cardinal virtues, and a maſterly definition of each of them at the ſame time.

As the merit, if any there be, of what I am now addreſſing to you, will chiefly lie in the method I obſerve in conveying it to your mind, without any further apology or unſeaſonable tranſition, I will now endeavour to

ſhew

ſhew you how the four operations of the mind may be rectified and embelliſhed.

All objects impreſs themſelves on our minds under certain forms, and the picture they leave behind them is what we call idea. We may, therefore, ſimply define an idea the repreſentation of a thing in our mind. As it is no part of my preſent purpoſe to treat of the nature and origin of ideas, I refer you for knowledge of that nature, if you think the labor worth your while, to the long liſt of metaphyſical inquiries. It will be ſufficient for you, as a young orator, to remember that ideas are the elements of judgments. The mind firſt perceives, then judges. Judgment is therefore an operation of the mind, by which we think that an object is or is not in ſuch or ſuch a manner. Judgment is affirmative or negative, according as the mind affirms or denies ſomething in the object it conſiders; according as it judges that there is or that there is not any affinity betwixt the ideas it compares together.

Our judgments are true or falſe, evident or obſcure, certain or doubtful, juſt or raſh, in

proportion as we have well or ill perceived the relations betwixt the original ideas. Our limited underſtanding, and the illuſion of the paſſions, which hinder us from obſerving the connection or the contraſt of our ideas, give riſe to all the errors in the judgments we form. The object concerning which we judge, is called the *ſubject* of the judgment, and what we judge concerning that object is called the *attribute*.

Judgment conſidered in itſelf is ſomething mental and internal, but when that judgment is orally expreſſed, it takes a different name, and we then term it propoſition.

As the propoſition is but a tranſlation of the judgment, it too muſt have a ſubject and an attribute, beſides a third copulative word, by the means of which we may affirm that the attribute does or does not agree to the ſubject in queſtion.

One inſtance alone will ſerve to ſhew the difference betwixt idea, judgment, and propoſition.

When I paſs by a woman, the ſimple repreſentation of that woman in the mirror of the

the mind, and reflected to the underſtanding, is an idea of a woman; but as the idea of woman is generally followed by many others, ſuch as deſirable, diſguſting, tall, ſhort, beautiful, ugly, honeſt, or diſhoneſt, if I compare the firſt idea with any one of the latter, and eventually affirm that it is or is not ſo and ſo, that operation is called judgment; and, if to an acquaintance happening to join me, I ſhould expreſs by word of mouth the judgment I had formed, I ſhould, in that caſe, make a propoſition.

A propoſition being, as I have already ſaid, only a faithful tranſlation of a mental judgment, is, like it, affirmative or negative, true or falſe, evident or obſcure, certain or doubtful, well grounded or raſh. For inſtance, this propoſition, *A whole is greater than one of its parts*, is certain, true, well founded, evident, and affirmative: but this other, *Friendſhip is not ſweet*, is falſe, abſurd, and negative.

Propoſitions may be conſidered either ſeparately from one another, or by comparing them together. A ſingle propoſition may

alſo be examined in reſpect of its ſubject, or in reſpect of its attribute. With reſpect to its attribute it is true or falſe, affirmative or negative; and this truth or falſity, this affirmation or negation, is what logicians call the *quality* of propoſitions. A propoſition is true, when what it affirms of a ſubject agrees to it, or when what it denies does not agree to it. A propoſition is falſe when it affirms that which cannot be affirmed, or when it denies that which cannot be denied.

Propoſitions conſidered in reſpect of their ſubject are either univerſal, or particular, or ſingular, or indefinite; and this univerſality, or this particularity, this more or leſs extenſion, is what is meant by the term *quantity* of propoſitions.

If the ſubject of a propoſition is a term which is underſtood of the whole ſpecies of which it is a member, a term taken in its full extent without any limitation whatſoever, the propoſition itſelf is then univerſal. Such are the two following, the firſt of which is affirmative, the other negative;

Every

Every man is mortal—
No man is truly happy.

You may convert this univerſal into a particular propoſition, by confining the word *man* to an undetermined number; for inſtance,

Some men are not happy.

The ſame propoſition becomes a ſingular one, by reſtricting ſtill more cloſely the word *man*; that is to ſay, by reſtraining the ſubject to a ſingle individual, thus:

Charles is happy—
Charles is not happy.

The propoſition denominated indefinite is not characteriſed by any mark of generality, like the univerſal propoſitions, nor by any token of reſtriction, as the particular ones are; you will eaſily enough gather from the concomitant circumſtances to which of theſe two claſſes you muſt refer it. For inſtance, this propoſition—*The circle is round*—is indefinite and univerſal, becauſe it is evident that all circles are compriſed in this aſſertion. This other,—*Men are deceitful*—is alſo indefinite and univerſal, but only morally ſo, that is, it admits of exception. The following—*The*

rioters ſet Newgate on fire—is indefinite and particular, becauſe it is clear that every individual rioter had not a hand in that act of violence. In a word, it may happen that an indefinite propoſition may be neither univerſal nor particular, but ſingular only, ſuch as this—*The Romans deſtroyed the Carthaginians*—by which we underſtand neither all the *Romans*, nor ſome Romans, but the Roman people, which, like every other moral compound body, is deemed to ſpeak and act like an individual.

In comparing propoſitions together, you will obſerve, that there may ſubſiſt a contrary or a contradictory oppoſition between them.

There is a contradictory oppoſition between two propoſitions when theſe three conditions meet: they muſt have the ſame ſubject and the ſame attribute; they muſt be one of them affirmative, the other negative; and one of them muſt affirm or deny only what is preciſely neceſſary to render the other falſe.

The contradictory oppoſition has place only between two ſingular propoſitions, which have the ſame ſubject and the ſame attribute, and

of

of which one is affirmative, the other negative; or between an univerſal and a particular propoſition, which have the ſame ſubject and the ſame attribute, and of which one is affirmative, the other negative.

There is a contrary oppoſition between two propoſitions, when both having the ſame ſubject, they attribute to this ſubject things that are incompatible to it, ſo that one of the two affirms or denies more than is neceſſary to make the other falſe.

The contrary oppoſition has place either between two univerſal propoſitions, one of which is affirmative, the other negative; or between an univerſal and a ſingular propoſition, one of which is affirmative, the other negative; or between two ſingular propoſitions, both affirmatives, but wherein the oppoſed attributes are neceſſarily incompatible in the ſame ſubject: the following are inſtances of contradictory propoſitions.

All men are wicked—Some man is not wicked.

All young people are imprudent—Some young people are not imprudent.

This town is magnificent—This town is not magnificent.

William Pitt is a great man—William Pitt is not a great man.

You ſee by theſe examples that the negative propoſitions poſitively deny the ſenſe of the others, but they only deny as much as is neceſſary to ſhew their falſity.

With theſe contradictory, you may make contrary propoſitions, in this manner:

All men are wicked—No man is wicked.

All young people are imprudent—No young perſon is imprudent.

This town is magnificent—This town is ſhabby.

William Pitt is a great man—William Pitt is a contemptible man.

In contradictory propoſitions, the negatives deny only as much as may ſhew that the affirmative ones are falſe; but contrary propoſitions mutually deſtroy each other: They offer the two extremes; and as between two extremities there is a middle point to reſt on, or a medium to chooſe, it follows that two contrary propoſitions are often both falſe at the

the ſame time, and that truth lies in the middle propoſition; for inſtance, William Pitt is a great man—William Pitt is a contemptible man. If William Pitt be only a good ſort of a man, the two contraries or extremes are both falſe, and the middle propoſition is the only true one.

On the other ſide, as two contradictory propoſitions are the *Yes* and the *No* of the queſtion, it is impoſſible that there ſhould be a medium betwixt them, ſo that when one is true, the other is moſt aſſuredly falſe; or, when one is evidently falſe, it follows that the other is manifeſtly true.

From what I have ſaid on the oppoſition of propoſitions, it reſults that when the pupil of eloquence wiſhes to eſtabliſh the truth of a propoſition which he cannot directly demonſtrate, it will be ſufficient for him to ſhew that the contradictory propoſition is falſe; and, that when he is aſſured that one of two contrary propoſitions is true, he may be ſatisfied that the other cannot be ſo too: elſe, the two attributes which are ſuppoſed incompatible in the ſame ſubject, would, notwithſtanding, be compatible, or (which comes to the

the ſame purpoſe) the ſubject of two contrary propoſitions would have, at one and the ſame time, two qualities which cannot co-exiſt; as, James is my friend — James is my enemy. It is clear that James cannot be both at once; and, that, if it be true he is my friend, it is, for that very reaſon, falſe he is my enemy.

Ideas are then the firſt operation of the mind; theſe we unite or we ſeparate, we examine whether they do or do not agree, and this is what is called *judging*. But, as I have already ſaid, our judgments may be true or falſe, clear or obſcure, well or ill grounded: it is only by juxta-poſition, or compariſon, that we can diſcover what truth or falſity they contain. This is what we underſtand by diſcourſing, reaſoning, paſſing from one judgment to another, from what is moſt to that which is leaſt known; in ſhort, it is ſhewing that the truth we do not yet know is contained in that we already do know.

The ſtudy of the rules of reaſoning is not only uſeful to thoſe who are to appear in the liſts of logic (for theſe are even under the neceſſity of knowing every metaphyſical ſubtilty,

tilty, that the unfair, obſtinate wrangler can oppoſe to triumphant reaſon) but the public character, the man whoſe godlike buſineſs it will be to announce and impreſs truth on the minds of his fellow-citizens, to diſcover fraud, to ſcreen innocence, and protect honeſty, ſuch a man, I ſay, ſhould be maſter of as much of the art as will enable him to combat and unveil inſidious ſophiſtry, to refute objections, to lop off the luxuriances that darken a queſtion, to ſtrip a ſubject of the acceſſories which impede its progreſs, and to force an uncandid antagoniſt to bend at laſt to the unclouded radiancy of truth.

If you had not devoted yourſelf to a profeſſion which abſolutely requires that you ſhould be maſter of this ſort of knowledge, yet it is by no means unimportant to be able to diſcuſs an opinion, or enter into the merit of a diſpute when occaſion requires it. How ſatisfactory muſt it be to a well-formed mind to avoid a defect which even people of genius are often guilty of, I mean that of diſputing with much warmth, without ever coming to a deciſion; of pouring out a deluge of words, without

without ſaying any thing concluſive, without proving the point in queſtion, and poſſibly of finiſhing the debate by proving the direct contrary propoſition to what one intended. How many diſputes have I been witneſs to, where the difficulty lay only in the words, which might have been brought to any eaſy concluſion by one ſingle preciſe argument? How many problems appear inſoluble which might be ſolved with all the eaſe in the world, if the point in queſtion were previouſly fixed, and an exact definition given, ſo that from a ſure and clear principle, a direct concluſion might be drawn? for, the whole art of reaſoning amounts to no more than this, to lay down a true principle, and thence draw a fair concluſion. A doubtful principle muſt never be taken for ground work, and the inſtant you perceive that the principle on which you went is unſound, you muſt drop the purſuit, for inſtead of conducting you to truth, it will lead you from it.

If what I have ſaid may have raiſed in your mind the leaſt anxiety to acquire this neceſſary art, of uniting elegance with reaſon, you muſt

muſt purſue the ſubject with me a ſtep further, and be content to ſubmit to the drudgery of making yourſelf acquainted with a few terms of art which the logicians have introduced.

For the ſake of method I ſhall divide oratorical reaſoning into ſeven kinds, and adopt or retain the old logical names, which I will endeavour to clear up as I go on. Theſe are the *Syllogiſm*, the *Enthimema*, the *Dilemma*, the *Epicherema*, the *Sorites*, *Induction*, and *Example*.

The ſyllogiſm, as logicians uſe it, is their Herculean club: but its formal tardineſs uſually excludes it from converſation and works of elegant literature. Eloquence has now and then recourſe to it, even in its own form; but it is with great caution, and in thoſe circumſtances only when reaſon muſt appear in all its ſeverity.

A ſyllogiſm is a manner of reaſoning made up of three propoſitions ſo linked together, that the two firſt being true, the third flowing from them muſt be infallibly true likewiſe. The firſt of theſe three propoſitions is called

called the Major, and is that wherein the ſubject is taken in the greateſt extent; the ſecond is called the Minor, and in it the ſubject is the moſt confined; the third is termed the Concluſion, that is the propoſition which is drawn from the two preceding ones, denominated, for this reaſon, *premiſſes*.

In the order of ranking theſe propoſitions, the major is not always the firſt, ſometimes it is the ſecond; for inſtance, George is a good friend—Now every good friend has a good heart; therefore George has a good heart.

Every good friend has a good heart, is the major, that is to ſay, the propoſition in which the ſubject is taken in its greateſt latitude. There is beſides this another rule to diſtinguiſh the major from the minor. The major contains the attribute of the concluſion, and in the minor you will always find the ſubject.

In every ſyllogiſm we compare two ideas together, by the intervention of a middle idea, which ſerves as a common meaſure to judge whether the two ideas that are compared,

pared, agree to each other. This intermediate idea is called the middle or mean term: for inſtance, to know whether George has a good heart or not, or whether the idea of good heart and that of George agree to each other, I take for my mean term the idea of a good friend; by applying it alternatively to George, and to what I underſtand by a good heart, I ſee that the quality of good friend agrees to George; that the quality of good heart agrees to a good friend, and thence I conclude that George, having the quality of good friend, has alſo that of good heart.

You muſt, beſides this, know what is meant by extremes. The point that is to be decided by a ſyllogiſm ſhould become the concluſion of the ſame ſyllogiſm, and the attribute of this concluſion is what we call the major extreme, or the greater term. The ſubject of the ſame concluſion is the minor extreme, or the leſſer term. Thus, in the above inſtance, when I purpoſed proving that George has a good heart, the concluſion ſhould therefore be, George has a good heart. Here the

major

major extreme is *good heart*, the minor extreme *George*.

Theſe obſervations I judged neceſſary, in order to let you ſee clearly into the mechaniſm of a ſimple ſyllogiſm. I ſhall now proceed to the general rules that we are furniſhed with on this ſubject. Let me therefore deſire you would recollect, that the art of reaſoning by ſyllogiſm, is the art of drawing an unknown from a known truth, by the means of an intermediate idea, which ſerves to weigh or meaſure the two ideas, whoſe agreement or oppoſition you are deſirous to diſcover. The truth you are in ſearch of muſt be contained in the propoſition you are to draw it from. This has given riſe to the rule, that *The concluſion muſt be contained in the premiſſes*; ſo that, to reaſon well, you muſt begin by holding forth a true, and even, if poſſible, an inconteſtible major; in the minor you muſt ſhew that the truth you diſcuſs, or are in ſearch of, is contained in that major, and thence you muſt conclude by what you meant to eſtabliſh. The intermediate idea that you

take to judge whether the two other ideas agree or not, muſt be compared with both thoſe ideas, but muſt not be found in the concluſion; for there your buſineſs is not to compare, but to pronounce upon the compariſon that ſhould have preceded, and you will thus perceive the reaſon of the rule that requires the middle term ſhould be in the premiſſes, and not in the concluſion.

Let us now apply theſe general rules to one of Tully's ſyllogiſms. The Roman orator, to prove that R. Amerinus could not have killed his father, ſays:

A ſon will not kill his father if he has no motive nor means of committing a parricide; now R. Amerinus has had no motive for taking away his father's life, he even has not had the means; therefore R. Amerinus could not have killed his father.

In this example the unknown truth is the innocence of R. Amerinus. But no man can deny this to be true, that a ſon who had no reaſon for killing his father, and who had it not in his power, had he even conceived the horrid purpoſe, cannot be guilty of a parri-

cide. Upon the ground of this major, Cicero aſſumes that R. Amerinus really had no motive nor means to take away his father's life; whence he concludes that R. Amerinus is innocent of the crime of which he ſtands accuſed. Thus, by the means of this idea, *a ſon who has no motive nor means to kill his father, will not commit a parricide*, the orator proves the innocence of his client. In the minor he avers that Roſcius is abſolutely in the condition of a ſon who could not deſire the death of his father, and who was beſides without the means of procuring it: thus he ſhews that the innocence of Roſcius, which was the unknown truth, was contained in this evident propoſition. *A ſon cannot kill his father without ſome motive and means to do the deed*; and laſtly, the intermediate idea, a ſon who has no motive nor means to kill his father will not commit a parricide, is found in the major and in the minor, and is not in the concluſion.

That you may now ſee what form a ſyllogiſm aſſumes in the mouth of an orator, I will here lay one before you as a logician would

would have given it, and afterwards ſhew you how Tully has ſtrengthened and embelliſhed it.

Tale eſt parricidii ſcelus ut accuſator validiſſima argumenta cauſaſque non leves afferre debeat.

Atqui C. Erucius, Roſcii accuſator, argumenta nec cauſas affert quæ Roſcium parricidii reum faciant.

Ergo non eſt credibile Roſcium patri mortem attuliſſe.

So far the logician; but Tully, after having ſtrongly expreſſed all the atrocity of a parricide, by way of preparation to his ſyllogiſm, in theſe terms:

Occidiſſe patrem S. Roſcius arguitur! ſceleſtum Dii immortales! ac nefarium facinus, atque ejuſmodi quo uno maleficio ſcelera omnia complexa eſſe videantur. Etenim, ſi, id quod præclaré a ſapientibus dicitur, vultu ſæpe læditur pietas; quod ſupplicium ſatis acre reperietur in eum qui mortem obtulerit parenti, pro quo mori ipſum ſi res poſtularet, jura divina atque humana cogebant:

adds this ſyllogiſm, to which the interrogation gives double force,

In hoc tanto tam atroci, tam ſingulari maleficio, quod ita rarò exiſtit, ut, ſiquando auditum ſit, portenti ac prodigii ſimile numeretur; quibus tandem te, C. Eruci, argumentis accuſatorem uti cenſes opportere? Nonne et audaciam ejus qui in Crimen vocetur ſingularem oſtendere, et mores feros, immanemque naturam, et vitam vitiis, flagitiis omnibus deditam, et denique omnia ad perniciem profligata atque perdita? Quorum tu nihil in Sex. Roſcium, ne objiciendi quidem cauſa contuliſti.

In oratorical compoſitions, the propoſition to be proved is frequently diſplayed in the firſt inſtance, and the reaſon which proves it is given in the ſecond—We muſt love virtue—for virtue makes us happy—inſtead of ſaying virtue makes us happy, therefore, we muſt love it.

We have a ſtriking example of this arrangement in Tully's exordium of the oration for the poet Archias:

" If, my Lords, I have any abilities, and " I am ſenſible they are but ſmall; if, by " ſpeaking often, I have acquired any merit as " a ſpeaker; if I have derived any knowledge " from

" from the ſtudy of the liberal arts, which " have ever been my delight, Archias may " juſtly claim the fruit of all. For looking " back upon paſt ſcenes, and calling to re- " membrance the earlieſt part of my life, I find " it was he who prompted me firſt to engage " in a courſe of ſtudy, and directed me in it; " if my tongue then formed and animated by " him has ever been the means of ſaving any, " I am certainly bound by all the ties of gra- " titude to employ it in the defence of him, " who has taught me to aſſiſt and defend " others?"

This argument converted into a ſyllogiſm runs thus—

If I am indebted to Archias for the talent I poſſeſs, he only ſhould reap the advantage of it.

Now it is to Archias alone that I owe this talent, which he has cultivated from my earlieſt youth;

He therefore has a right to reap the benefit of that talent.

In Tully, the major is, *If my tongue*, &c. the minor, *For looking back upon paſt ſcenes*, &c. and the concluſion, *Archias may juſtly claim the fruit of all:* and you may obſerve

that it is by this concluſion that the orator begins his ſpeech.

Another remark I would have you make on oratorical ſyllogiſm, is, that much latitude is allowed to it; by ſometimes adding a propoſition as proof to the major, and another as proof to the minor.

We ſhould be fond of that which makes us more perfect; now elegant literature makes us more perfect; therefore we ſhould be fond of elegant literature.

This is a logical argument; obſerve how it might have dropped from the lips of an orator: he, in the firſt place, would have formed it ſomething in this manner:

We ſhould be fond of that which makes us more perfect is a truth engraven on our hearts, and confirmed not only by common ſenſe, but by ſelf love;

Now elegant literature make us more perfect, it enriches the mind, it ſoftens our manners, exalts our feelings, and gives a poliſh to our behaviour through life;

Therefore (for the above reaſons) we ſhould be fond of elegant literature.

But as good taſte cannot bear this confined arrangement, nor this methodiſed ſtiffneſs, the orator would prefer to diſguiſe his reaſons under another more pleaſing and leſs affected form.

Where is the man that does not cheriſh elegant literature? It enriches his mind, and ſoftens his manners. It gives a poliſh and perfection to human nature. Self love and common ſenſe convince us of its value, and of the neceſſity we are under of cultivating it.

One example more will ſatisfy you of the elegance that can be thrown into a ſtrict logical argument. Shakeſpeare, in his Othello, means to prove that reputation is more valuable than riches. A logician would have ſaid,

That is more valuable than riches, which makes the loſer incomparably poorer than if he had loſt wealth, and is beſides irreparable.

Now this is the caſe upon the loſs of a good name. Therefore a good name is more valuable than riches. But mark the poet—

Good name in man or woman
Is the immediate jewel of our ſouls:
Who ſteals my purſe, ſteals traſh; 'tis ſomething, nothing,
'Twas mine, 'tis his, and has been ſlave to thouſands.
But he who filches from me my good name,
Robs me of that which not enriches him,
And makes me poor indeed.

A ſyllogiſm is ſeldom or ever employed in oratory, but to diſcover or to diſplay a truth. For inſtance, let us ſuppoſe two ideas apparently unconnected, but evidently connected with the third idea: this laſt will ſerve to join the two firſt. Thus, if I know not that I muſt love juſtice, I aſk myſelf what juſtice is —Juſtice is a virtue—This is enough for me.—I very well know that I muſt love virtue, I likewiſe know that juſtice is a virtue, I therefore know that I muſt love juſtice. This is the driſt of the celebrated principle—That *when two things agree with a third thing, they muſt agree with one another.*

I cannot help mentioning in this place the celebrated ſyllogiſm of Serjeant Parker, uſed to detect the fallacy of Doctor Sacheverell's anſwer to the ſecond charge brought in againſt him by the Commons.

"Are

" Are then paſſages that ſpeak of all falſe " brethren, and that ſpeak of ſome particular " falſe brethren independent?—My lords, " theſe are ſo far from being independent, " and ſo ill have they choſen out what to find " fault with, that (if your Lordſhips will par- " don the pedantry, conſidering I have a man " of logic and diſputation to deal with) the " two propoſitions are the propoſitions of a " ſyllogiſm, concluding in the firſt figure; " and the inference he complains of is the " concluſion neceſſarily ariſing from them, " according to the rules of logic."—The whole ſyllogiſm runs thus—

All falſe brethren do in themſelves weaken, undermine and betray, and do encourage and put it in the power of others who are profeſſed enemies, to overturn and deſtroy the conſtitution and eſtabliſhment:

Perſons of characters and ſtations are falſe brethren; therefore perſons of characters and ſtations do, &c.

" The two firſt propoſitions are what I have " ſhewn the Doctor plainly to lay down: the " other only a neceſſary conſequence. Would

" any one expect that the Doctor ſhould be ſo " forgetful in the rules of logic, as when he " laid down the premiſſes, to deny the con- " cluſion? or to deny the concluſion to be his " doctrine, who laid down thoſe premiſſes?"

" Can it be thought that he laid them down " without an intention that his hearers ſhould " make the concluſion; or could he think it " poſſible they ſhould not make it: or ſhall " the ſuppreſſing a concluſion ſo plainly " ariſing, which is taken notice of in ſome " that write of logic, as an elegance in diſ- " courſe, paſs for an excuſe?"

The ſecond way of reaſoning I mentioned is called *Enthimema*. This is nothing but a ſyllogiſm of which one of the propoſitions is ſuppreſſed. The major is generally diſpenſed with on theſe occaſions, as it is almoſt always an indefinite propoſition—and may be eaſily ſupplied. For this reaſon, it has been called a *truncated ſyllogiſm*. Orators make very frequent uſe of it, by amplifying and preſenting it in a variety of lights. It receives, in a particular manner, beauty and energy from *interrogation*.

The

The firſt propoſition of an *enthimema* is called *antecedent*, the ſecond the *conſequent*. To know whether an enthimema be concluſive or not, you muſt ſupply the ſuppreſſed propoſition, and then paſs judgment on it according to the common rules of ſyllogiſm.

Cicero makes much uſe of this argument. His oration for the Manilian law teems with *enthimemas*. In order to perſuade the Romans that Pompey ſhould be preferred to the important commiſſion of the Aſiatic war, he proves that he is a great general by the following enthimema.

Pompey, with a thorough knowledge of war, and good fortune conſtantly on his ſide, poſſeſſes valor and authority; he therefore is a complete general.

Tully then proceeds to prove by ſo many enthimemas, that the four above-mentioned qualifications really belong to Pompey. I know of no example, not even in Cicero himſelf, where the enthimema is more magnificently employed. It will be worth your while to commit to memory all that part of this inimitable ſpeech. For your preſent ſatis-

ſatisfaction I will only give you that enthimema, in which the orator proves that Pompey poſſeſſes great abilities in the art of war.

" Where is the man who in military fame " can ſurpaſs Pompey? he who from a boy " and the exerciſes of ſchool, paſſed into his " father's camp, and began the ſtudy of the " military art, during the progreſs of a raging " war, maintained by a furious enemy; who, " before the period of childhood was elapſed, " commenced ſoldier under a great general; " who, in the very dawn of youth, was himſelf " at the head of a mighty army; who has " fought more pitched battles, than others " have had perſonal diſputes, carried on more " wars than others have acquired knowledge " of by reading; reduced more provinces than " others have aſpired to even in thought; whoſe " youth was trained to the profeſſion of arms, " not by precepts derived from others, but by " the higheſt offices of command; not by " perſonal miſtakes in war, but by a train of " important victories; not by a ſeries of campaigns, but by a ſucceſſion of triumphs. In " fine, what ſpecies of war can be named, in " which

" which the fortune of the republic has not
" given him an opportunity of exerciſing him-
" ſelf? The civil, the African, the tranſalpine,
" the ſervile, the naval; together with that
" of Spain, in which ſuch a multitude of our
" own citizens and warlike foreigners were
" concerned. So many and different wars,
" againſt ſuch a variety of foes, not only
" carried on, but happily terminated by this
" one man, ſufficiently proclaim, that there
" is no part of military knowledge, in which
" he is not an accompliſhed maſter."

In this admirable enthimema, the conſequent is placed before the antecedent. Thus the orator and the poet, unfettered by the trammels of logical regularity, often draw the means of pleaſing conviction from thoſe very arguments, which, by themſelves, were powerleſs and dry. One might make a good enthimema by ſaying,

Pompey from his earlieſt youth has ſtudied the art of war, in the camp and under the eyes of his father, during one of the moſt dreadful wars the republic ever waged; when a ſtripling, he obtained the command

of

of a mighty army; no general has fought more battles, nor reduced more provinces; there is no ſpecies of war on land or ſea that he has not been employed in, to the honour of the Roman name: no man, therefore, poſſeſſes or can poſſeſs greater abilities in the art of war than Pompey.

This enthimema is perſuaſive; but obſerve with what pomp the Roman orator amplifies the antecedent. Every ſtroke gives the conſequent which precedes, a degree of increaſing energy, which leads at laſt to the fulleſt evidence, where the able orator pauſes, that the audience may now in their turn have the ſatisfaction of drawing the conſequence themſelves. By tranſpoſing the conſequent to its natural place, the paſſage flattens, and the mind cools.

You will ſometimes, but very ſeldom, find in Tully, a naked enthimema without any amplification, as in his oration for *Rabirius*.

If it was a crime to kill Saturninus, it could not but be criminal to take up arms againſt him; but if you allow the lawfulneſs of taking up arms, you muſt alſo allow that it was lawful to kill him.

Satan,

Satan, in his addreſs to the ſun, might have ſaid,

The Almighty created me, and honored me above my peers, therefore, he deſerved no return of malice from me: but mark with what effect Milton places the conſequent before the antecedent in this enthimema.

> Ah wherefore! he deſerved no ſuch return
> From me, whom he created what I was,
> In that bright eminence; and with his good
> Upbraided none; nor was his ſervice hard!

A little further on in the ſame addreſs, you meet with an inſtance of an enthimema which, though ſtrictly accurate, is remarkably beautiful.

> ——— a grateful mind
> By owing owes not, but ſtill pays, at once
> Indebted and diſcharg'd: what burthen then?

Or, in other words, *therefore gratitude is no burthen.*

You can never peruſe the ſpeeches of this divine author too much or too often. They are replete with ſolid and rich argument of every

every kind: to point them out, it would be neceſſary to tranſcribe almoſt every line.

Enthimemas are always uſed with a degree of ſucceſs, when the orator finds it neceſſary to make uſe of an epigrammatic point.

There is ſomething humorous in the enthimema that cloſes the following whimſey—

When Thomas calls his wife his half,
I like the fellow's whim:
She cuckolds Thomas; ſo the jilt
Belongs but half to him.

I ſhall conclude what I had to ſay on the enthimema with this obſervation. It is not always by virtue of the ſuppreſſed propoſition that a conſequence is drawn from the antecedent: for inſtance, if after having meaſured two pillars with my cane, I conclude by ſaying, each of theſe pillars is three times the length of my cane; therefore they are equally high: this conſequence will ſatisfy me, though I had never once thought of the general propoſition; *when two things are equal to a third, they are equal to one another.*

The third manner of arguing is a very preſſing one, and is known by the name of *dilemma.*

dilemma. It is uſually compoſed of two contradictory propoſitions, by the means of which you prove that your antagoniſt is conquered which ſide ſoever he may take. To do this effectually you muſt leave no medium between the members or the propoſitions of the *dilemma*, otherwiſe there will be a gap for your adverſary to eſcape. Such is the defect of this dilemma by which a Roman citizen wiſhed to induce Fabius to hazard an action with Hannibal.

If you are a good citizen, you ſhould conquer or die for your country. I muſt do neither, replied Fabius, there is a medium which every true citizen ſhould prefer to both: I will temporize.

The rules of the dilemma may be reduced to two: the firſt is, that there muſt be no medium between the members of the dilemma, as I have ſaid; for if there be, the propoſitions cannot be contradictory. The ſecond rule is, that the inference, or the conſequence which you draw from the firſt member of the dilemma ſhould incontrovertibly flow from the antecedent, otherwiſe one might deny the conſequence with impunity, and thus overthrow

the *dilemma*, which, by the way, ſhould never appear, without being confident of victory.

The Roman who endeavoured to perſuade Fabius to give battle, fancied he ſhould force the general to own that it was his duty to do ſo: but the Dictator avoids the ſophiſm by adopting the medium betwixt the two extremes propoſed to him.

The ſame obſervation may be made on the famous dilemma, by which it was intended to prove that a man who marries muſt be miſerable.

Either the woman you will marry is beautiful, or ſhe is not; if ſhe is not, ſhe will diſguſt you in a ſhort time; if ſhe is beautiful, ſhe will make you jealous; therefore, if you marry you will be wretched.

This dilemma is deficient on account of the medium left in the firſt member; for the woman may be neither beautiful nor ugly; and, beſides, the concluſions drawn from theſe two conditionals; *if ſhe is ugly, ſhe will diſguſt you*; *if ſhe is beautiful ſhe will make you jealous*, are overſtrained, and by no means flow from the antecedents. A woman without being beautiful, nay, a homely woman,

may

may poſſeſs qualifications and merits of ſo uncommon a nature as ſtrongly to attach a man's heart; and a lovely woman may have virtue to be a ſafeguard to her charms.

In ſhort, the dilemma is an argument generally retorted againſt the perſon who employs it, if it does not at once ſecure the victory; there is no other way of combating a bad one than by retorting it: for inſtance, an Ancient, deſirous to perſuade a man not to accept of a public employment, made uſe of this dilemma.

Either you will acquit yourſelf well or ill of the charge now offered you: if well, you will draw a world of enemies on your back; if ill, you will offend the Gods; therefore you muſt not meddle with affairs of ſtate.

His friend might have retorted upon him in this manner.

If my conduct is prudent and humane, I ſhall gain many friends: if juſt and equitable, I ſhall pleaſe the Gods; therefore, I need not dread undertaking the office.

As the nature and form of a dilemma require much clearneſs and great conciſeneſs, there can be but a ſlight ſhade of difference betwixt the oratorical and logical dilemma.

It is by an argument of this kind that Cicero proves the Younger Flaccus might lawfully diſpoſe of the money which he is reproached for having taken.

Ut enim iſtam pecuniam capere non licuit.— Utrum vultis Patri Flacco licuiſſe, nec-ne? Si licuit, ſicuti certe licuit, ad ejus honores collatam, ex quibus ipſe nihil capiebat, patris pecuniam recte abſtulit filius: Si non licuit, tamen illo mortuo non modo filius, ſed quivis heres legitime potuit aufferre.

Demoſthenes, in his harangue againſt Eſchines, on the ſubject of the golden crown, refutes, in a beautiful dilemma, the accuſation of having been the cauſe of all the misfortunes of the republic, by inſtigating the Athenians to declare war againſt Philip, with whom they had been in peace. As it is my buſineſs to point out to you the eloquence of the dilemma itſelf, it ſhould be yours always to conſult the original paſſage at large. The mentioning of a fine eye excites curioſity to ſee the head it adorns.

" When Philip ſubdued Eubœa, and made " a bulwark of it againſt Attica, when he " made

" made himſelf maſter of Megara and Orea,
" when he levelled Pathmos with the ground,
" when he eſtabliſhed Philiſtides and Cly-
" tarchus tyrants of Orea and Eretria, when
" he took poſſeſſion of the Helleſpont, laid
" ſiege to Byzantium, reduced to aſhes the
" cities of Greece, and filled others with
" outlaws, when he committed all theſe out-
" rages, was it or was it not in open violation
" of peace, of treaties, and of juſtice? Was
" it or was it not neceſſary that ſome one
" ſhould ariſe, and ſtrive to repreſs ſuch
" daring inſults? If it was not neceſſary, if,
" on the contrary, it was right and befitting
" that Greece ſhould become the prey of the
" firſt comer, and that this ſhould happen
" while there were Athenians breathing on
" earth; I certainly have done wrong to
" counſel you to take up arms, and you
" ſhould not have liſtened to me: in this
" caſe let all the blame, let all the injuſtice
" fall on my head. But, if it was neceſſary
" that Philip ſhould have been checked in
" his career, who, but you, O! Athenians,
" ſhould have done it?"

There is great art in this dilemma; it is as inſinuating as it is energetic. In the firſt place, Demoſthenes, after having run over a great number of ſtriking acts of hoſtility, aſks Eſchines Whether the king of Macedonia could, at that period of time, be looked upon as a friend to the republic, or as a foe; and this mode of interrogating his adverſary upon facts which he cannot deny, and of forcing him to condemn himſelf from the impoſſibility of avoiding the evidence of the thing, is maſterly, urgent, and bold. Eſchines is already refuted on the ſcore of having advanced that the intentions of Philip towards the Athenians were peaceful. But if Philip acted as an enemy, which muſt the Athenians do, ſuffer him to enſlave Greece, or reſiſt him? This is another interrogation, the anſwer to which is ſtill more evident than that to the firſt. There was not a Greek, I am confident, in the immenſe aſſembly, that liſtened to Demoſthenes, who did not ſay—"Though Philip had not attacked the allies of the Athenians, it would have been extreme imprudence to let him make himſelf maſter of the neighbouring ſtates,

ſtates, becauſe Attica, being then the only one left unſubdued, would have become an eaſy conqueſt. It was therefore political and juſt to oppoſe the ambitious deſigns of Philip, to ſupport the oppreſſed, and join with them againſt a common enemy, who manifeſtly purpoſed making all Greece paſs under his yoke. But ſince it was neceſſary to reſiſt him, to whom did that honour belong but to the Athenians?" This laſt ſtroke, ſo flattering to the ears that liſtened to him, muſt have completed the triumph that his ſtrength and preciſion had already prepared. The merit of this orator is, that in the feweſt words poſſible, he unites the ſoundeſt thoughts, the beſt choſen arguments, and the moſt animated pathos.

Our immortal Milton furniſhes us with an argument of this nature, conveyed, with his uſual energy, in the beginning of Mammon's ſpeech to the infernal ſenate.

Either to diſinthrone the King of Heav'n
We war, if war be beſt; or to regain
Our own right loſt: him to unthrone, we then
May hope, when everlaſting fate ſhall yield
To fickle chance, and chaos judge the ſtrife:

The former, vain to hope, argues as vain
The latter: for what place can be for us
Within Heav'n's bounds, unleſs Heav'n's lord ſupreme
We overpower?——

To prevail on a lady to make the beſt uſe of her time, a very conciſe and elegant dilemma has been employed by a poet, whoſe name does not, at this moment, occur to me;

If youth and beauty fade, my dear,
Impart them wiſely while you may;
If ſtill they laſt, why ſhould you fear
To give what none can give away.

You will ſometimes find that the dilemma is not given at its full length. The two diſjunctive propoſitions are frequently underſtood, as in this example, where it is proved that Kings are to be pitied.

"If they are bad, mankind ſuffer under "their laſh, and there are torments in wait "for them in black Tartarus; if they are "good, how many difficulties have they to "ſurmount, how many ſnares to avoid, and "how many pangs muſt they endure?"

To complete this dilemma it were neceſſary to ſay, *either Kings are good, or they are bad.*

bad.—But there is a tardineſs in this, that does not ſuit the eagerneſs of the mind on thoſe occaſions, and it is a very eaſy matter for the audience to ſupply the two disjunctive propoſitions.

The fourth mode of reaſoning is known by the name of *Epicherema*. This is one of the moſt ſatisfactory and convincing ways of arguing. It ſupports and proves every propoſition by itſelf, as it is advanced, ſo that the concluſion is ſo much the more deciſive, as there remained nothing dark or doubtful in the principles that went before it.

Thus Cicero, after having explained, in his narration, how Archias had fulfilled the conditions upon which the law of Syllanus and Carbo granted the right of freedom, reſumes the three conditions one after the other, and as he mentions each in particular, proves, at the ſame time, that Archias had really conformed to it. In order to feel all the weight of this ſingle epicherema in the cauſe of Archias, you ſhould be acquainted with the law of the two tribunes.

In

In the conſulſhip of C N. Pomp. Strabo, and L. Porc. Carbo, the tribunes of the people, M. Plaut. Syllanus, and C N. Papirius Carbo, made a law in favour of ſtrangers, by which they who were made free of any of the confederate cities, and, at the time of paſſing the law dwelled in Italy, were obliged to claim their privilege, before the pretor, within ſixty days. If the client of Cicero has gone through all theſe formalities, he ſhould enjoy the benefit of the law of the tribunes. The orator, after having ſhewn that Archias had really done ſo, demands;

" For which of theſe things, Gracchus, " can you deny? Will you ſay that he was " not made a citizen of Heraclea at that " time? Why, here is Lucullus, a man of " the greateſt credit, honour, and integrity, " who affirms it; and that not as a thing he " believes, but as what he knows; not as " what he heard of, but as what he ſaw; not " as what he was preſent at, but as what he " tranſacted. Here are likewiſe deputies " from Heraclea that affirm the ſame thing.

" Men

" Men of the greateſt quality come hither
" on purpoſe to give public teſtimony in
" this cauſe. But here, you'll deſire to ſee
" the public regiſter of Heraclea, which we
" all know was burnt in the Italian war,
" together with the office wherein it was
" kept. Now is it not ridiculous to ſay
" nothing to the evidences which we have,
" and to deſire thoſe which we cannot have;
" to be ſilent as to the teſtimony of men,
" and to demand the teſtimony of regiſters;
" to pay no regard to what is affirmed by a
" perſon of great dignity, nor to the oath
" and integrity of a free city of the ſtricteſt
" honour, evidences which are incapable of
" being corrupted, and to require thoſe of
" regiſters, which you allow to be frequently
" vitiated. But he did not reſide at Rome—
" What! he, who for ſo many years before
" the law of Syllanus, made Rome the ſeat
" of all his hopes and fortunes - But he did
" not declare— So far is this from being true,
" that his declaration is to be ſeen in that
" regiſter, which, by that very act, and its
" being in the cuſtody of the College of
" Pretors,

" Pretors, is the only authentic one. For " the negligence of Appius, the corruption of " Rabirius before his condemnation, and his " diſgrace after, having deſtroyed the credit " of public records, Metellus, a man of the " greateſt honour and modeſty, was ſo very " exact, that he came before Lentulus the " pretor, and the other judges, and declared " that he was uneaſy at the erazure of a " ſingle name. A. Licinius therefore is ſtill " to be ſeen; and as this is the caſe, why " ſhould you doubt of his being a citizen " of Rome, eſpecially as he had been pre- " viouſly enrolled in other free cities?"

Philocles, in the ſixth book of Telemachus, makes uſe of an epicherema to perſuade the officer whom Idomeneus had ſent to inform him that his unjuſt baniſhment was at an end; to perſuade him, I ſay, that he had enjoyed in his ſolitude, a happineſs ſo pure, that he could not think of renouncing it. I refer you to the paſſage itſelf, but the purport of the epicherema is this—

" Do you ſee that grotto, more fit to be a " retreat for wild beaſts, than a dwelling for " men?

" men? I have there enjoyed for many years
" more tranquillity and comfort than in the
" proud palaces of Creta; I am no more de-
" ceived by men, for I no more ſee them, nor
" am witneſs to the flattery and poiſon of their
" tongues: I ſtand no more in need of them;
" my hands, enured to labor, procure me the
" ſimple nouriſhment that nature requires;
" I have need, you ſee, of nothing but a
" ſlight raiment to cover me. Having no
" more wants, enjoying the moſt delicious
" peace of mind, and the ſweeteſt liberty,
" why ſhould I return, and what have I to
" expect among envious, deceitful, inconſtant
" men? No, no, my dear Hegeſippus, you
" muſt not rob me of my happineſs."

In this example every propoſition is followed by a reaſon or motive, and all together tend to this concluſion—*It were renouncing happineſs, Hegeſippus, were I to fall in with what you wiſh me to do*—Take away the reaſons which Philocles makes uſe of to ſupport his propoſitions, and you will then have the following enthimema.

" For

" For many years, I have taſted in this " grotto more quiet than in the proud pa- " laces of Creta: men no more deceive me; " I have no more need of them: my own " hands procure the neceſſaries of life. I " enjoy tranquillity and freedom; I ſhould, " among them, meet with envy, inconſtancy " and deceit; it were therefore giving up " happineſs to return to them."

I ſhall finiſh my remarks on the epicherema by an accurate inſtance, tending to prove that ambition makes its votaries miſerable.

" The ambitious man enjoys nothing; he " neither enjoys his fame, for he deems it " obſcure; nor his place, for he aſpires to " a higher; nor his proſperity, for he ſickens " and pines away in the boſom of plenty; " nor the homage that is paid him, for it is " embittered by that which he himſelf is " forced to do in his turn; nor the favor he " is in, for he looks upon it as nothing, " while he muſt ſhare it with competitors; " nor tranquillity, for he loaths the hours

" that

" that are not employed in his favorite pur-
" ſuit; he is a Haman, whom one only ho-
" nour refuſed to his intemperate authority,
" renders inſupportable to himſelf. Ambi-
" tion therefore makes its votaries unhappy."

Again—

I will give you another form of an epicherema on the ſame ſubject. It can do you no harm to ſee this way of arguing preſented under a variety of views, as eloquence receives much luſtre from it.

" Ambition vilifies the heart, and de-
" grades it. What meanneſs muſt a man be
" guilty of in order to make his way to
" preferment! He muſt appear, not what
" he is, but what he is expected to be. His
" adulation is mean, for he bends his knee to
" the idol that he deſpiſes. His ſlaviſhneſs is
" mean, for he muſt put up with inſults and
" denials, and kiſs the foot that ſpurns him.
" His diſſimulation is mean, for he dares not
" ſpeak what he thinks; and his very thoughts,
" by baſe habitude, are but the tranſcripts of
" others. His wickedneſs is mean, for he
" becomes the accomplice of crimes that he
" deteſts,

" deteſts, only that he may ſhare in favor. " In ſhort, his hypocriſy is mean, for he " muſt put on the maſk of piety, play the " man of probity, and make religion a ſlave " to the vice it ſeverely condemns. This " is not an imaginary picture. It is a " diſplay of the manners and morals of courts; " then who will dare tell me that ambition " is the vice of great minds only. I aver " that it is the ſureſt mark of a groveling " and daſtardly ſpirit. Nothing but a vile " heart could ſubmit to ſuch degradations. " Therefore ambition vilifies the heart, and " degrades it."

I ſuppoſe it uſeleſs to remark, that except the reaſons are all of them ſtrong, fit, conciſe, and ſtriking, the epicherema, owing to its length, will tire inſtead of animating, and ſpread diſguſt inſtead of perſuaſion.

The next argument is known by the name of *Sorites*, or gradual ratiocination. It is made up of a chain of propoſitions, ſo running into one another, that you may conclude from one granted to another, more or leſs diſtant, which you mean to eſtabliſh.

The means you muſt employ for the purpoſe of drawing the truth to be eſtabliſhed from the truth granted, conſiſts in forming a gradation of intermediate truths, pointing out a neceſſary connection, and being as it were a bridge of communication between the firſt and laſt: the foundation of the *Sorites* is evidently this;

A contains B.
B contains C.
C contains D.
D contains E.

Therefore A contains E, ſince it contains all that which contains E.

Were it demanded of you to prove by a *Sorites*, that puniſhment in a future life preſuppoſes free will in this life, you might proceed thus:

" Puniſhment in a future life will be effected by the action, or under the permiſſion and direction, of the Supreme Author of Nature, who is all-wiſe and all-juſt. This puniſhment will therefore be wiſe and juſt. The puniſhed muſt therefore have been guilty. The guilty have therefore had it in their power to act otherwiſe than they have done;

they had it in their power to omit the action, and avoid the omiſſion, for which they are puniſhed; the guilty and puniſhed were therefore really and truly free, both in the action and omiſſion, which became the cauſe of their juſt chaſtiſement. Therefore, (paſſing from the firſt to the laſt propoſition) it is clear that the puniſhment of the wicked in a future life pre-ſuppoſes free will in this life."

Cicero proves, by a beautiful *Sorites*, that a man of true courage never ſuffers himſelf to be dejected through pain or grief.

Neceſſe eſt qui ſit fortis eundem eſſe magni animi; qui magni animi, invictum; qui invictus ſit, eum humanas res deſpicere atque infra ſe poſitas arbitrari; deſpicere autem nemo poteſt eas res propter quas ægritudine affici poteſt; ex quo efficitur virum fortem ægritudine nunquam affici.

You muſt particularly guard againſt equivocation in this kind of argument: each term ſhould not only have the ſame meaning in the two ſucceeding propoſitions in which it is found, but the two terms of the concluſion ſhould alſo be linked together in the very ſame manner that thoſe in the premiſſes have been.

The

The *Sorites* with which Themiſtocles diverted himſelf, to prove that his ſon, a boy of three years old, commanded over the whole Earth, is, for the above reaſons, deficient.

My ſon commands his mother; his mother commands me; I command the Athenians; the Athenians command Greece; Greece commands Europe; Europe commands the whole Earth; therefore, my ſon commands the whole Earth.

Here the word *command* is not ſufficiently determined, and is uſed in the different propoſitions in different ſenſes; each propoſition is not inconteſtibly dependent upon that which immediately precedes it, nor do they mutually explain each other. The *ſorites* does not eſſentially require that the attribute of each propoſition ſhould become the ſubject of the following; it will be ſufficient that the ideas be linked together ſo as to reflect light on, and grow from each other, without that ſymmetry of verbal concatenation.

Cicero, in his work *De Finibus*, makes uſe of a magnificent *ſorites* againſt an abettor of Epicuriſm.

" Since you are perſuaded, ſays he, of the truth of the Epicurean ſyſtem, why not go and preach that fine moral of yours in ſome of our public aſſemblies? In the firſt place, go and tell the Roman people, who have choſen you pretor, that, in the exerciſe of your charge, you will moſt faithfully follow the maxims of your maſter Epicurus: that, in private, pleaſure has ever been the only motive of all your actions; and, that, in public life, you ſhall ever be actuated by the ſame principle; or, if you dread ſpeaking in this manner before an ignorant people, who would forebode the worſt, with regard to the equity of your future decrees, go and hold this language to your own pretorian court; or, if you ſtill fear the gravity of your aſſeſſors, who, as they are accuſtomed to other laws, would underſtand very little of that novel code of yours; go tell the ſenate, where you know you will meet with more enlightened minds, that pleaſure will dictate all your decrees; or, as decrees founded on the love of pleaſure might, perhaps, ſhock the auſtere honour of the Conſcript Fathers; tell them only

only that during all the period of your adminiſtration, you will exert your whole power in procuring to yourſelf all the bleſſings of rational indolence; or, if the reproach of effeminacy intimidate you, as it ſhould a Torquatus, tell them that your judgments will always be governed by your own advantage; or, if you find that the accuſation of ſelf intereſt is ſtill more to be dreaded by a magiſtrate, declare to them, that in all your deciſions you will have nothing in view but the merit of being applauded by thoſe whoſe favour may lead you to the conſular honours; or, if you are under the apprehenſion that a declaration ſo ambitious may urge the cenſors to accuſe you of bribery, then ſimply aſſure them that ſelf-love will ever be the motive and meaſure of your love towards the republic."

As the form of the *ſorites*, like that of the *dilemma*, is ſtrictly cloſe, it is not ſuſceptible of much embelliſhment, and, therefore, you can but ſeldom make uſe of it. When you can employ it, it becomes a powerful means of conviction. Your own taſte, and

the circumſtances, muſt determine the length of it.

We now come to *Induction.* This argument is a heaping together of many reaſons, many events, or many facts, which having, all of them, ſome affinity with the ſubject in queſtion, produce a concluſion, upon the ground of a ſeries of authorities previouſly diſplayed in the premiſſes: thus, in the ſuppoſition that a family conſiſts of three people, and that I deſire to prove that the whole family is of diſtinguiſhed merit, I make uſe of an *induction*, by going through the ſeveral branches of it;

Lord John is a perſon of great merit, for ſuch and ſuch reaſons: my Lord Biſhop is a perſon of real worth, for ſuch and ſuch reaſons: Lady Charlotte is a perſon of diſtinguiſhed excellence, for ſuch and ſuch other reaſons; therefore, I conclude that the whole family is really of diſtinguiſhed merit.

The nature and eaſy elegant form of this ſort of argument, ſhould induce you to make frequent uſe of it. There is nothing tends more to perſuade or diſſuade a perſon, than to ſhew him that many people before him have

have ſucceeded or failed in the project that he meditates; nothing is of greater advantage than to gather together the reaſons and circumſtances which militate for or againſt ſucceſs; and to expoſe all the truth or the falſehood of what one believes or ſays. The drift of induction is this: *Many others have done what I am about to undertake; I, therefore, may alſo do it. Such and ſuch marks betoken virtue: therefore, the man in whom I find them is virtuous.*

Eſchines proves by induction that Demoſthenes ſhould not be crowned.

" Tell me, O! Athenians, who holds the " firſt place in your eſteem, Themiſtocles, " who commanded your navy when you diſ- " comfited the Perſians at Salamina, or this " Demoſthenes, who baſely fled at the battle " of Cheronea: Miltiades, who gained the " celebrated victory of Marathon againſt the " Barbarians, or this daſtardly declaimer? " Muſt I mention thoſe heroes who brought " back from Phylos the flying Athenians? " Muſt I ſpeak of an Ariſtides, ſurnamed the " *Juſt*, a ſurname every way ſo unbefitting

" Demoſthenes? No, ye Gods, no! I can-
" not on the ſame day ſpeak of thoſe illuſ-
" trious men, and of the execrable monſter
" mentioned by Demoſthenes in his harangue,
" being the only one among them that was
" crowned. Were the people then ungrate-
" ful? No, they were only magnanimous;
" and thoſe uncrowned heroes were, notwith-
" ſtanding, worthy of their country. They
" looked for honours, not in the words of a
" decree, but in the eternally grateful hearts
" of their fellow citizens. Rewards, how-
" ever, diſtinguiſhing rewards, were given
" them. A few brave Athenians, after im-
" menſe labours, and many dangers, con-
" quered the Medes on the banks of the
" Strymon: on their return they demanded
" a reward: the people gave them one, which
" in thoſe times appeared conſiderable: three
" ſtone ſtatues were erected in the portico,
" but upon this condition, that their names
" ſhould not be engraved on them, leſt the
" inſcription might appear to have been in-
" tended for the generals, and not for the
" people——

(Eſchines

(Eſchines here gives the inſcriptions, and then continues)

" Do you here ſee the names of the chiefs? " You have heard only the people men- " tioned. Let us proceed now into the pic- " ture gallery: we there have the monuments " of all our atchievements. Obſerve the " battle of Marathon—Who was our gene- " ral there, Athenians? You anſwer without " heſitation, Miltiades. His name, however, " is not to be ſeen. How? did he not de- " mand that honour? Yes, but the people " refuſed him. They only conſented that " the chief ſhould be painted at the head of " his army, haranguing his fellow ſoldiers.— " Again, turn your eyes to the temple of the " Mother of the Gods, and ſee how they " were recompenſed who brought back our " citizens from Phylos. Arſines, one of the " chiefs in this great ſervice, propoſed a de- " cree, and obtained in the firſt place, leave " to diſtribute among them a thouſand " drachmas, which was no more than ten " drachmas to each, to ſacrifice and make " offerings in memory of that event; that

" they

" they ſhould, in the ſecond place, receive " not a golden, but an olive crown; for " ſuch crowns were then as precious, as " golden crowns are at this day deſpicable: " nor had hazard any thing to do in the " diſtribution of thoſe rewards. The decree " expreſsly marked that the ſenate ſhould " ſtrictly examine and find out who thoſe " were who had ſuſtained at Phylos the aſ- " ſault of the Lacedemonians and of the " thirty tyrants. Nobody thought, at that " time, of thoſe cowards, who, at the battle " of Cheronea, ſhamefully fled the approaches " of the enemy."

Strip this induction of its oratorical embelliſhments, it will become more viſible. Themiſtocles and Miltiades, who gained, one the famous victory of Salamina, the other that of Marathon; Ariſtides, ſurnamed the *Juſt*, and the heroes who brought back the Athenians from *Phylos*, were more deſerving the gratitude of their fellow citizens than Demoſthenes, who cowardly fled at the battle of Cheronea; they, however, received nothing but an olive crown, and Miltiades was even refuſed

refuſed the diſtinction of having his name inſcribed on the repreſentations that were painted of this great victory; therefore, Demoſthenes has not the ſhadow of right to pretend to a golden crown.

Cicero, in his ſpeech for R. Amerinus, reunites four probabilities, each ſtronger than the other, againſt T. Roſcius, all tending to this concluſion: *therefore, I cannot be much at a loſs for the reaſon that induced you to commit the crime I accuſe you of.*

"What will you ſay if I make it clear "that you lived in indigence before the per- "petration of this murder? If I diſcover "your unbounded paſſion for riches; if I "prove that you are a man who dare do any "thing? What will you anſwer, if I ſhew "the hatred you bore the deceaſed, and that "you were his avowed enemy? If I prove "all this, how will you acquit yourſelf of "the aſſaſſination?"

The able orator, after having proved that T. Roſcius was poor before the murder; that he was fond of money; that he hated the deceaſed, re-aſſaults the minds and hearts of

of his judges by a new induction, which forms another chain of probabilities, from whence the innocence of the ſon flows as a natural concluſion.

" T. Roſcius becomes exceſſively rich after " the murder; R. Amerinus extremely poor. " T. Roſcius has an unquenchable thirſt for " money; R. Amerinus is known to be ex- " ceedingly moderate: the firſt was the moſt " daring and the moſt avaricious of that ſet " of men, who put up to ſale the goods of " the proſcribed; the ſecond is of ſo peaceful " a diſpoſition, that he dreaded not only the " clamours of the bar, but even the tumult " of the city, and for that reaſon kept at a " diſtance from it. In ſhort, one was the " declared enemy of the unfortunate S. Ro- " ſcius, the other was his ſon!"

This induction is ſtrikingly beautiful. Here Tully diſplays all his art. The firſt induction againſt the murderer appears again in all its force, and is ſo much the more effectual, as it had already been fully proved. The oppoſition of the two characters is intereſting and affecting, and while it points out

out innocence on one ſide, is ſtrongly indicative of guilt on the other. But the laſt reaſon is the moſt irreſiſtible of moral proofs. The great orator took care to reſerve it for the laſt. It is the completion of the picture; one ſtroke more would weaken the effect of the whole.

M. Dagueſſau, in his diſcourſe on the decline of the bar, proves, by induction, that it is the fate of every thing excellent on earth to increaſe ſlowly, to maintain itſelf with difficulty during a ſhort period, and then to ſink with rapidity.

" We are born weak and mortal, and we " impreſs on every thing round us the cha- " racter of our feebleneſs, and the image of " our extinction. The moſt ſublime ſci- " ences, thoſe vivid lights which beam upon " our minds, eternal in their ſource, ſince " they are an emanation of the Divinity " itſelf, ſeem to become mortal, and periſh- " able by the contagion of our frailty; im- " mutable in themſelves, they change with " regard to us; like us they are born, and, " like us they die. Ignorance ſucceeds to " erudition;

" erudition; coarſeneſs to delicacy; barba-
" riſm to civilization. The ſciences and fine
" arts return into their original nothing,
" from which much labour, and a long ſeries
" of years had drawn them, until happy in-
" duſtry, by a kind of ſecond creation, gives
" them a new being, and a ſecond life.

" What became, during ſo many ages, of
" thoſe torrents of eloquence, thoſe ſources
" of learning, which formerly overflowed
" Greece and Italy? The age of our fore-
" fathers ſaw them re-appear; they were
" riſen to their higheſt pitch in the times of
" our fathers: our generation begins to ſee
" them diminiſh, and who knows whether our
" children will be able even to trace the chan-
" nels which they flowed in?"

Horace, in the 9th ode of his 2d book, makes uſe of an induction to perſuade his friend *Valgius* to ceaſe mourning the death of his ſon. As this is one of his maſter-pieces, I will give you the induction at length. Meantime, I refer you to the original, or rather to your memory, where no doubt it is treaſured.

Nor

Nor everlaſting rain deforms
The ſqualid fields: Nor endleſs ſtorms
Inconſtant vex the Caſpian main:
Nor on Armenia's frozen plain
The loit'ring ſnow unmelting lies;
Nor loud where northern winds ariſe,
The lab'ring foreſts bend the head,
Nor yet their leafy honours ſhed:
But you in ceaſeleſs tears complain,
And ſtill purſue the weeping ſtrain;
When Venus lifts her evening ray,
Or flies the rapid beam of day,
The death of Myſtes fills your eyes,
And bids the tender paſſion riſe.
Not for his ſon the Grecian ſage,
Renown'd for thrice the mortal age;
Not for their youthful brother dead,
Such ſorrow Priam's daughters ſhed.
At length theſe weak complaints give o'er, &c.

Virgil, in the ſixth book of the Æneis, makes his hero ſay—If Orpheus, Caſtor and Pollux, Theſeus, and Hercules, deſcended alive to the infernal ſhades, I too, who can boaſt the blood of Jove, as well as Alcides, may claim an equal privilege.

Si potuit manes arceſſere conjugis Orpheus,
Threicia fretus cithara fidibuſque canoris:
Si fratrem Pollux alterna morte redemit,

Itque

Itque reditque viam toties : quid Theſea, magnum
Quid memorem Alciden? et mi genus ab Jove ſummo.

The concluſion drawn from this induction the poet had placed before, therefore, *doceas iter, et ſacra oſtia pandas.*

The firſt rule to be obſerved in framing a good induction is, that the alledged reaſons, facts, or examples, may not be irrelative to the concluſion. The induction will be more or leſs powerful, as the affinity is more or leſs ſtriking, and the inſtances more or leſs numerous.

The laſt mode of argumentation I recommend to you is that by which you prove that a thing can or cannot be done, becauſe it already has not, or has been done, for reaſons that it ſhould or ſhould not have been done. This they call *example*, and, by the way, I look upon it to be nothing elſe but a ſhort induction, or a reference to other facts, events, or perſons. There may be a ſhade of difference between them, but it is ſcarce worth remarking. It is very immaterial, if your

your proof turns out to be good, whether they give it one name or the other, both are ſo near a-kin.

For inſtance, the example might be the expoſition of a ſubject of the ſame nature as that which you are to prove; whereas the induction is made up of many, more or leſs diſtant relations of many united facts. The example is more or leſs adapted to conclude from ſingular to ſingular, and the induction from many ſingulars to one general.

In order to render the example a weighty argument, it is not ſufficient that the fact on which you ground your authority be well averred, the circumſtances muſt beſides be exactly the ſame. When every thing is equal betwixt the example which you cite, and the thing which you wiſh to enforce by that example, the uſual form in which logicians draw their concluſion is this; *ergo a pari*, or, therefore, by the ſame reaſon.

When there is leſs difficulty in the thing you propoſe, than in the example you bring, the way of concluding in ſcholaſtic terms is, *ergo a fortiori*, therefore, by a ſtronger rea-

ſon; and if you wiſh to convince by contraries, as you ſometimes ſhew the truth of one propoſition by the falſity of its contradictory, you muſt then ſay, *ergo a contrario*, therefore, by the reaſon of contraries.

Eſchines is deſirous to perſuade the Athenians, by an example *a fortiori*, that they ſhould exclude Demoſthenes from the adminiſtration of the republic.

" You, therefore, Athenians, who, with a " wiſh of convincing the ſtate how much the " lives of her citizens ſhould be taken care " of, enacted a law, forbidding any ſailor " whoſe bark had ſtruck, in ſpite of all his " efforts, on the ſhelves betwixt Athens and " Salamina, ever again to recur to his former " profeſſion, can you, after that, entruſt the " rudder into the hands of him by whoſe " means the republic, nay, Greece itſelf, has " periſhed ?"

A celebrated author, after having eſtabliſhed by an example *a pari* that a great name, without virtue, is no real diſtinction, goes on with an example *a contrario*.

" If

" If you love honour and probity; if you " fly from and deteſt a diſhoneſt action; if " you have courage to undertake, and ſtrength " of mind to accompliſh great things, your " extraction is noble, or it deſerves to be ſo: " *therefore, by the reaſon of contraries*, if you " degrade by the baſeneſs of your ſentiments, " and the meanneſs of your actions, the noble " blood you boaſt of, you darken the ſplen- " dor of your anceſtors, and only retain as " much as may ſhew the world the vices of " the wretch that diſhonours his birth."

Obſerve, by the way, that an example is not by any means a proof: an example throws light upon a ſubject, but it does not eſtabliſh it: it makes it more clear, becauſe it holds forth the meaning in more ſtriking views; and draws the attention more effectually to it, becauſe theſe views are leſs undetermined. The new light the ideas are offered in pleaſes; your audience will be ſatisfied with it, and take it for a proof, though it really is not one.

After having thus run over the ſeveral ways of reaſoning that I alluded to (and you may

eaſily ſee, without any confeſſion from me, how perfunctorily I have done it,) I cannot quit the ſubject of oratorical reaſoning without remarking, that almoſt all the diſcourſe and converſation of men, is a medley of regular, irregular, ſimple, and compound ſyllogiſms, worked up in a thouſand varied ways. The tenſes are tranſpoſed in the propoſitions, and the attribute occupies the place of the ſubject. The propoſitions themſelves are tranſpoſed; the minor, ſometimes the conſequence itſelf, ſtands where the major naturally ſhould have been placed; ſometimes whole propoſitions are ſuppreſſed. Sometimes the principle alone is given, and the inference is left to the underſtanding of the hearers. The ſame term is not only uſed to expreſs different ideas, but the ſame idea re-appears in different terms, and the ſame propoſition is repeated in different forms. Here a reticence takes place, and there you'll obſerve a redundance. Sometimes exaggeration is recurred to; ſometimes the half of the meaning only is expreſſed. It is not an eaſy matter for the beſt underſtanding, unaſſiſted by logic,

to

to develop the confuſion, which this half reaſoning has a tendency to create, and yet it is of the utmoſt conſequence that we ſhould be able to do it: for want of it we embrace error, and revolt at truth.

To guard therefore againſt miſtake and deception of every kind, you muſt make it your buſineſs to re-eſtabliſh order, where tranſpoſition had taken place, to reſtore what had been omitted, to rub down aſperities, lop redundancy, change the figurative into the natural ſtile, and then turn all the ſtrength of your underſtanding and attention to the thing itſelf, after having thus ſtript it of the frippery of whim, or the embelliſhments of fancy.

Let me now, my dear youth, proceed to make a few obſervations on the eaſy order and perſpicuous method that the elegant ſpeaker ſhould attend to.

Method is the art of ranking every thing in the place that ſuits it; in fact, I might boldly tell you at once, that method is nothing but good taſte; I do not mean that good taſte which produces the graces of a diſcourſe,

but that other ſpecies of taſte, which regulates the order in which the different parts, the reaſons, the proofs, and all the means of perſuaſion ſhould be diſplayed, for the purpoſe of producing the greater effect. It is not the taſte that colours, but it is that which draws, which ſketches the forms, and groups them; in ſhort, I mean the taſte that creates the beauty of reaſon, and not that of fancy; the beauty of plenitude, not that of a ſingle member. It diſpoſes the ſprings that you are to put in motion for the purpoſe of pleaſing, inſtructing, and perſuading.

Before you caſt about for the order in which you are to offer your thoughts, you muſt already have pre-conceived a general outline of your ſubject: the next proceſs is, in that outline, to mark the place of your principal ideas; your ſubject will then become circumſcribed, and you will ſee its extent.

This plan will be your ground-work; it will ſupport you, direct you, regulate the movements of your mind, and ſubmit them to the laws of method. Without it, the beſt

ſpeaker

ſpeaker will go aſtray, his progreſs will be unguided, and the irregular beauties of his ſpeech will be at the mercy of hazard. How brilliant ſoever the colours he employs may be, the diſpoſition of the picture will ruin the whole effect; and the ſpeaker may be admired, but his genius will moſt certainly be ſuſpected.

Why are the works of nature ſo perfect? ſays Buffon; it is becauſe every work is a whole, or, has its full plenitude: it is becauſe ſhe never deviates from one eternal plan. She prepares in ſilence the ſeeds of all her productions: in one bold ſtroke alone ſhe hits off the primitive form of every living being: ſhe unfolds and beſtows perfection on it by a perpetual motion, and in a preſcribed time. The human mind cannot create, it can produce nothing until it has been fertilized by experience and meditation: its notions are the ſeeds of its productions; but if it imitates the progreſs and labour of nature; if it riſes on the wings of contemplation to the moſt ſublime truths; if it connects them, links them, and forms them into one grand whole

by the powers of reflection, it will raiſe a monument of fame on an immortal foundation.

It is for want of a plan, and for not having allowed reflection to dwell long enough on his ſubject, that a man of abilities finds himſelf embarraſſed, and knows not where or how to begin. He at once perceives a vaſt number of ideas: as he has made no compariſon betwixt them, nor eſtabliſhed any ſubordination among them, there is nothing that determines him to give the preference to one more than to the other; he, therefore, ſtands a victim of his own perplexity. But when he ſhall have laid down a plan to himſelf; when once he ſhall have gathered together, and put in order every idea eſſential to his ſubject, the work will have arrived at the point of maturity; he will be eager to give it birth; thought will ſucceed thought, with eaſe and pleaſure to himſelf; his ſtile will be natural and lucid; the delight he feels will beget a warmth, which will glow through all his periods, and give life to every expreſſion; his animation will increaſe; the tones

tones of his voice will ſwell; every object will become prominent, and ſentiment in uniſon with perſpicuity, will render the diſcourſe both intereſting and luminous.

The talent of method is in a great degree the gift of nature; for they miſtake the matter extremely who ſuppoſe it to be a mere mechaniſm of placing one part before or after another. It is to be apprehended that a too-ſcrupulous obſerver of the rules of method, may be methodically tireſome. The elegant ſpeaker ſhould be methodical, but then it ſhould not appear that he is ſo. The audience ſhould feel his method, but it ſhould not be formally marked; it ſhould be known only by the progreſs of perſuaſion. When the mind of the hearer has time to judge of the ſpeaker's method, the ſpeech is ineloquent. The play of the nerves and muſcles ſhould be felt, but not ſeen.

Weigh your own feelings, examine the emotions of others, endeavour to diſcover in every occurrence of life the ſpring of human paſſions, ſtudy to imitate nature, and with the genius and judgment you are bleſſed with,

with, you cannot but ſucceed as a great ſpeaker.

How comes it that we every where ſee ſo many demi-talents, if I may be allowed the expreſſion, in men who might have had a no inconſiderable place among good ſpeakers? for ſome poſſeſs energy, others harmony; ſome are maſters of imagery, and others are really rich in expreſſion. The reaſon evidently is, that they are impatient to blaze forth, and pour upon the world their crude inconſiſtencies; hence obſcurity, incoherence, extravagance, and all the other evils of an unripe mind, and, as a natural conſequence to all, neglect or contempt.

One word more, and I quit the ſubject: accuſtom yourſelf, even in your common converſation, to link your thoughts to one another; utter none without a momentary examination, whether it is ſound and fit or not: juſtneſs and preciſion will glide from your converſation into your firſt little eſſays, and from theſe into greater; and when at laſt nature ſhall have attained its maturity, and occaſion touches the ſpring of genius, all

the powers of your mind will burſt into harmonious motion.

My object has hitherto been to point out to you in what manner oratory ſhould make uſe of logic: what I have therefore ſaid on this head, I look upon as the ground-work of the propoſed union between REASON AND ELEGANCE: we now come to the ſuperſtructure, or, in other words, to the uſe that logic may, in its turn, make of rhetoric.

There are two ſorts of requiſites to every thought and expreſſion. The firſt kind may be called logical requiſites, becauſe reaſon and good ſenſe intimate that they are abſolutely neceſſary; the ſecond ſort are ornamental, and are entirely under the direction and management of good taſte.

The firſt eſſential quality of thought is, that it ſhould be clear: for a thought that is not clear, is not, properly ſpeaking, a thought: clearneſs conſiſts in the lucid and diſtinct repreſentation of an object. It muſt be ſeen without mental miſt or internal obſcurity, and then it will be lucid; it muſt be ſepa-

rated

rated from every object that ſurrounds it, and then it will be diſtinct.

Now the *expreſſion* is clear when it repreſents the thought, without any ambiguity and without embarraſſment. There are but few men who are maſters of the tongue they daily uſe, and fewer ſtill can give a rational account of their own thoughts; they cannot examine into the nature of their thoughts, for it is not in their power to unravel them. Hence the frequent uſe they make of words without any clear correſpondent ideas attached to them; or, if they have a clear idea of an object, they are at a loſs for the true term that expreſſes it. Their meaning is gueſſed at, and generally miſtaken: diſputation enſues, and the reſult is confuſion.

The firſt thing you ſhould therefore do, when you wiſh to expreſs a thought, is to examine it well; to ſeparate it from all that does not belong to it; to conſider it firſt by parts, and then graſp the whole. The natural expreſſion will follow of courſe.

Ce que l'on conçoit bien s'enonce clairement :
Les mots pour l'exprimer arrivent aiſément.

The ſecond requiſite of thought is, that it be *true*, that is, it ſhould repreſent the object as it really is. When I repreſent to myſelf the ſun as a round and luminous body, my thought is *true*; if my mind repreſent the ſun to be a ſquare and obſcure body, my thought is falſe. The expreſſion is therefore true, when it repreſents to others the thought which we ourſelves have, and repreſents it ſuch as we have it: the expreſſion is falſe when it does not repreſent our thought, or when it repreſents it otherwiſe than it lies in our mind. Juſtneſs of thought is a part of the ſecond requiſite. A thought perfectly true is alſo juſt. Cuſtom, however, has created a difference between the truth and juſtneſs of a thought. The truth of a thought is more preciſely the conformity of the thought with the object, whereas juſtneſs points out more expreſsly its extent. Thought is therefore true when it repreſents its object, and it is juſt when it neither has more or leſs extent than

than its object. In the ſame manner expreſſion is true, when it repreſents the thought, and it is juſt, when it is neither of greater nor leſs extent than the thought. If it is of greater extent, it becomes lax; if of leſs, it ſtrangles the thought, if I may ſo ſpeak, in its very birth.

To the two above-mentioned qualities, you may add a third, which is brevity; this belongs more to the expreſſion than to the thought. The mind is all eagerneſs to come at knowledge, nothing ſo impatient as it is, when obliged to wait; and the more eaſy and ſhort it finds the way of arriving at truth, the better it is ſatisfied. If, through penury or weakneſs, a circumlocution is made uſe of inſtead of the proper term, or an elaborate turn, inſtead of the natural expreſſion, it ſuffers more or leſs in proportion to the wrong done to it. The mind is never ſo well pleaſed as when the thought, like Minerva iſſuing from the head of Jupiter, darts forward completely equipped. The brevity of the following expreſſion is perfect and ſatisfactory; *The mind is often a dupe to the heart.* Here the thought

thought cannot be conveyed in leſs words, nor in terms more clear: had it been ſaid, *The liking we have for any particular thing, makes us often find that thing very different from what it really is*; the thought would have been the ſame, but the expreſſion would have lagged and loitered, inſtead of having wings, like the former.

To ſpeak as a rhetorician, all our ideas are complex; they may, therefore, be all of them expreſſed in many words; but when, without the trouble of long liſtening, we receive an equal portion of knowledge, we have the ſatisfaction of knowing quickly, and knowing better, ſeeing that a multiplicity of words divides attention, and throws confuſion into our ideas.

When I ſpeak againſt the multiplicity of vocal ſigns, I would not be underſtood to mean that the language ſhould conſiſt of monoſyllables, or mutilated ſentences, or enigmatical hints, like ſome paſſages in Perſius and Tacitus, where the thought ſeems to undergo a degree of torture in the expreſſion: my idea is, that the dreſs ſhould not cramp the

the thought, but be ſo fitted to it, that the form may be ſeen to move with eaſe, and not be loſt beneath the unneceſſary folds of taſteleſs drapery. Neither do I blame the orator who diſplays his thoughts in periodical phraſes. Brevity is very conſiſtent with oratorical copiouſneſs, becauſe this copiouſneſs flows from the ideas: when the ideas are rich, expreſſion will be full and flowing: Cicero is ever copious, ever rich; but ſtill he has not a word too much: his expreſſion never ſeduces the mind by ſplendor, nor burthens it with words of much ſhew, but no meaning.

Such are the previous qualities that good ſenſe requires in thought and expreſſion: but in order to pleaſe, it will not be ſufficient that you are faultleſs; you muſt beſides be elegant; and to deſerve this name you muſt have recourſe to good taſte.

The beauty of thought, and the charm of expreſſion, are entirely owing to the choice you make of both one and the other, and the order you obſerve in producing them. All the rules of elocution may therefore be reduced

reduced to theſe two, to chuſe with judgment, and to arrange with taſte.

A painter who would wiſh to excel in his art, thinks not of uſing his colours, until his imagination has laid hold of the ſemblances he means to imbody. Speech is the picture of our thoughts; the tongue is the pencil, and words are the colours; the firſt thing that we ought to do is, to collect thoughts, and gather together a multitude of images; ſo that, when the proper choice and arrangement ſhall have been made, the picture may appear rich by judicious grouping, and clear and diſtinct by felicity of diſpoſition.

A few obſervations on this head are neceſſary in this place. Nature herſelf intimates, that the firſt thing we ſhould do is to ruminate over our ſubject, and explore the means of compaſſing our deſign. Nothing muſt be forgotten that may ſerve to illuſtrate our ſubject: but then it may often happen, as I hinted to you before, that by ſifting things too long, a multiplicity of ideas hang like a dead weight upon the mind, and confuſion will be the inevitable conſequence of endleſs

inveſtigation. Barrenneſs is ſometimes the effect of abundance; a too great fertility alarms the huſbandman, and he takes care to check it. The mind muſt be as ready to retrench what is ſuperfluous as to ſearch for what is wanting.

A diſcourſe that only gives the heads of things, is, no doubt very imperfect; but whatever is redundantly voluminous is intolerable. Μέγα βιβλίον, μέγα κακόν. The mind wanders, is loſt, and the moſt conſummate patience becomes at laſt faſtidious. After having therefore carefully collected the materials for your diſcourſe, you muſt not only chuſe, limit, and rigidly fix on that only which is abſolutely neceſſary to guide you on; and reject whatever is ſuperfluous, but you muſt, beſides, make it your buſineſs ever to have in view the term you tend to, and, avoiding every winding, keep to the path that will the ſooneſt bring you to the end of your journey. If you trifle with the attention of your audience, and turn it on things unimportant and uneſſential, their application will

will be leſs vigorous, when the ſubject really requires it to be the moſt intent.

This conciſeneſs does not entirely depend on winnowing the ſpeech, and throwing off all things frivolous or improper. A brevity in elocution is attained by ſeaſonably bringing forward circumſtances that throw a bold light on the ſubject, and render a thouſand weaker things unneceſſary. On thoſe occaſions we muſt imitate the ſtratagem of Timanthus, who, to convey the idea of gigantic ſtature, in a very ſmall picture, painted a giant ſleeping among a group of ſatyrs, who were making uſe of their thyrſus to meaſure his fingers. This art of diffuſing light requires much ingenuity, and a thorough maſtery of what we are about. It is for this reaſon that the laconic Paſcal agreeably excuſes himſelf to his friend, for one of his letters having been to long, becauſe he had not had time to make it ſhorter.

This premiſed with regard to your ſubject in general, let us reſume our conſiderations on the choice of ideas.

Whatever be the theme you fix upon, let it be your firſt care to make a thorough examination of it on all ſides. As you view it in different lights, you will every moment ſtart new ideas: freſh flowers will ſpring up at every ſtep the mind takes, and you will ſoon ſee a rich ſcene ſpread out before you. But all is not to be gathered. The production is too luxuriant to be all good.

On further examination you will find many falſe gleams, which, without the reality, aſſume the appearance of thoughts. You will obſerve thoughts which have nothing to do with your ſubject, and which you muſt turn out as intruders. You will meet with trivial ones, as clear as water, and as inſipid. Some will be mean, and beneath the dignity of your ſubject; others will be gigantic, and beyond your reach: all of which you muſt diſcard, and you muſt begin your ſelection by retaining and employing, Firſt,

The common thoughts which naturally occur to every man of common ſenſe and ſound judgment, and which ſeem to ſhoot from

from the very core of the ſubject. Theſe will ſerve to form the woof of the work, if I may be allowed the expreſſion, with which you will afterwards have it in your power to interweave the flowery, the bold, the delicate, the ſublime, the ſhrewd, the witty, the graceful, the energetic; in ſhort, every thought that can claim an affinity with your ſubject, and has, beſides, received the ſanction of good taſte.

Flowery thoughts are thoſe which, without diving into the ſubject, give the mind, notwithſtanding, a clear idea of it, by exhibiting, in the moſt pleaſing light, its moſt attracting features, and by placing it in the moſt bewitching attitudes. Thus the Spectator ſpeaking of Summer, which he perſonifies: "He "was in the full prime and vigor of his age; "his complexion was ſanguine and ruddy; "his hair black, and fell down in beautiful "ringlets beneath his ſhoulders; a mantle "of hair-coloured ſilk hung looſely upon "him; he advanced with a haſty ſtep after "Spring, and ſought out the ſhade, and

" cool fountains, which played in the gardens. " He was particularly well-pleaſed, when a " troop of Zephyrs fanned him with their " wings: he had two companions who walked " on each ſide, that made him appear the " moſt agreeable: the one was Aurora with " fingers of roſes, and her feet dewy, at- " tired in grey; the other was Veſper, in a " robe of azure, beſet with drops of gold, " whoſe breath he caught, whilſt it paſt over " a bundle of honeyſuckles and tuberoſes " which he held in his hand. Pan and Ceres " followed them with four reapers, who " danced a morrice to the ſound of oaten " pipes and cymbals."

The bold thought is that which leaves behind it an impreſſion that nothing can obliterate; it falls with the ſuddenneſs of the thunderbolt, and ſinks as deep; thus Satan, in Milton, ſays that his aſſociate ſpirits

His (the Almighty's) utmoſt power with adverſe pow'r oppos'd
In dubious battle on the plains of heav'n,
AND SHOOK HIS THRONE! ———

The

The delicate thought does not preſent its object in full view, but chooſes ſome fortunate circumſtance to point out its meaning, without directly expreſſing it: thus Milton,

To the nuptial bower
I led her bluſhing like the morn: all Heav'n
And happy conſtellations on that hour
Shed their ſelecteſt influence; the earth
Gave ſign of gratulation, and each hill;
Joyous the birds; freſh gales and gentle airs
Whiſper'd it to the woods, and from their wings
Flung roſe, flung odors from the ſpicy ſhrub
Diſporting, *till the amorous bird of night*
Sung ſpouſal———

The ſublime thought is that which fills the ſoul, and exalts it without any other aid than the ſimple expoſition of a grand object: thus Lear, in the ſtorm,

Let the great Gods,
That keep this dreadful thundering o'er our heads,
Find out their enemies now.——

I am a man
More ſinn'd againſt than ſinning.

And Milton:

On th' other ſide,
Incens'd with indignation, Satan ſtood

Unterrified, and like a comet burn'd,
That fires the length of Ophiucus huge
In th' arctic ſky, and *from his horrid hair*
Shakes peſtilence and war!

Moſt thoughts, however, are characterized by the nature of the ſubject, ſuch as the melancholy, the joyful, the quick, the agreeable; to all which it muſt be your particular care, and your conſtant ſtudy, to adapt expreſſions of the ſame nature; for I need not inform you how injudicious the orator muſt appear, who would unguardedly dreſs up a dreary thought in all the brilliancy of gay diction. Common ſenſe muſt therefore be clothed with common and proper terms; but to expreſs the richer and more refined thoughts of fancy, we muſt have recourſe to art.

The mind of man is ſo copious, that language cannot keep pace with it. Fancy is ſo various in her creation, and places things in points of view ſo very different, that it is impoſſible to dreſs every thought in a garb peculiar to itſelf. Terms of daily uſe are not always juſt; they are either too weak or too ſtrong:

ſtrong: thus, to expreſs exactly what we think, we have recourſe to the ſame addreſs that we uſe when we do not know the proper name of the perſon we ſpeak of: we employ thoſe ſigns and circumſtances, which are ſo inherent to the object, that they paint the idea as it lies in the imagination: he is a Barriſter, we ſay, a little man, a

Crine ruber, niger ore, brevis pede, lumine læſus.

Thoſe objects which have a reciprocity of relation, are linked, in a manner, with each other in idea. When we ſee a ſoldier, it is natural to think of war; and we cannot help thinking of our abſent friend, when we ſee a face that carries a reſemblance of feature. Thus, then the idea of one thing may eaſily be excited by the name of another, which bears an affinity to it.

When, to ſignify a thing, we make uſe of a word that cuſtom had adapted to ſomething elſe, that manner of expreſſing it is called *figurative*, and the words we thus tranſpoſe from a direct to an indirect ſenſe are called

Tropes,

Tropes, that is to ſay, terms of which we change the uſe, as the Greek derivation ſufficiently evinces. As theſe terms are allowable only ſo far as there is a relation betwixt two ideas, there are as many tropes as there are modes of affinity; but it has pleaſed the maſters of the art of ſpeaking to circumſcribe their number. The moſt eſſential are the following:

Metonymia is a *trope* more general than the reſt, it therefore has the firſt place in this enumeration. It ſignifies one name for another, ſo that there is a *Metonymia* when we ſay, *Elliot kept the rock in ſpite of the Spaniards. — Every body reads Rouſſeau. — All London is in uproar.* It is obvious that we mean the army of Elliot; the works of Rouſſeau; the inhabitants of London. There is ſuch an affinity betwixt the commander and his troops, an author and his works, a town and its inhabitants, that we cannot think of one without immediately raiſing the idea of the other. This change, therefore, inſtead of producing confuſion, creates elegance, inaſmuch

much as it embelliſhes one idea with the luſtre of another.

Synecdoche is a ſpecies of Metonymia, which uſes the name of the whole for that of the part, or the part for the whole; as when we ſay, *The plague is in Conſtantinople*, when it is ſpread over all Turkey; and *The plague is in Turkey*, when it only is in Conſtantinople. Speaking of any one Canary bird, or any particular tree, we ſay, uſing the whole for one of the ſpecies; *There is a beautiful bird—That is a fine tree.*

This trope comprehends that peculiar way of giving a determined for an indeterminate number, as when we ſay,

> Your country to a *thouſand* friends prefer,
> But don't betray them, tho' it be for her.
>
> COWLEY.

meaning many friends. In the ſame manner a round number is uſed inſtead of any fixed quantity, as a thouſand years ago, inſtead of nine hundred and ninety-nine.

Antonomaſia is another kind of metonymia, which applies the proper name of any one thing

thing to many others, or on the contrary, when one gives to one thing in particular a name common to many: *Sardanapalus was a voluptuous king—Nero a cruel emperor:* it is by antonomaſia we, therefore, call a voluptuous man a Sardanapalus, and that we give the name of Nero to a cruel prince. The words orator, poet, and philoſopher, are common names, and given to all thoſe who profeſs to be any one of them; notwithſtanding theſe names are applied to individuals, as if they were proper names. We ſay, ſpeaking of Cicero, the orator gives this precept in his Rhetoric. The poet, meaning Virgil, has given the deſcription of a tempeſt in the firſt book of his Æneis. The philoſopher has given that demonſtration in his Metaphyſics, meaning Ariſtotle, &c.

Metaphor is a trope, by which the uſual ſignification of a word is transferred to another, by way of analogy or hidden compariſon. It enriches the expreſſion, by giving two ideas inſtead of one. One may be called the natural, the other the artificial meaning. Thus when we ſay, that *The King is the head of*

of his people; the word *head* is uſed metaphorically, becauſe as the head commands all the other members, ſo do kings command their ſubjects. A meadow is ſaid to be *ſmiling* when it offers an agreeable view, ſimilar to the looks of a perſon whoſe countenance betokens joy. A noble metaphor, when it is placed to an advantage, caſts a kind of glory round it, and darts a luſtre through a whole ſentence. A truth in the underſtanding is, as it were, reflected by the imagination; we are able to ſee ſomething like colour and ſhape in a notion, and to diſcover a ſcheme of thoughts traced out upon matter: and here the mind, ſays Addiſon, receives a great deal of ſatisfaction, and has two of its faculties gratified at the ſame time, while the fancy is buſy in copying after the underſtanding, and tranſcribing ideas out of the intellectual world into the material. As theſe different kinds of alluſion are but ſo many different manners of ſimilitude, the likeneſs ought to be very exact, or very agreeable, as we love to ſee a picture where the reſemblance is juſt, or the poſture and

air

air graceful. There is not any thing in the world which may not be compared to ſeveral other things, if conſidered in ſeveral diſtinct lights; or, in other words, the ſame thing may be expreſſed by different metaphors. But the miſchief is, that an unſkilful mind ſhall run theſe metaphors ſo abſurdly into one another, that there ſhall be no ſimile, no agreeable picture, no apt reſemblance, but confuſion, obſcurity, and noiſe. Thus I have ſomewhere read of a hero compared to a thunderbolt, a lion, and the ſea; all and each of them proper metaphors for impetuoſity, courage, and force: but by bad management, it has ſo happened, that the thunderbolt has overflowed its banks; the lion has been darted through the ſkies, and the billows have rolled out of the Lybian deſart. With regard to metaphor, keep therefore this rule conſtantly before your eyes: never make a being in nature, or art, do a thing in its metaphorical ſtate, which it could not do in its original.

Allegory is a continuation of many metaphors, all drawn from the ſame ſubject which gave

gave riſe to the firſt. When well choſen, they are like ſo many ſtreams of light in a diſcourſe, that make every thing about them clear and beautiful. They have ſomething in them like creation, they beſtow a kind of exiſtence, and raiſe up to the readers view ſeveral objects, which are not to be found in being. They make additions to nature, and give greater variety to God's works. In a word, they beautify the moſt illuſtrious ſcenes in the univerſe, and fill the mind with more glorious apparitions than can be found in any part of it. There are occaſions when they may ſet off all writings in general, but you muſt obſerve that poetry lays particular claim to them; they are indeed the very life and higheſt perfection of it. Shakeſpeare furniſhes us with an admirable allegory on the ſubject of opportunity.

There is a tide in the affairs of men,
Which taken at the flood leads on to fortune;
Omitted, all the voyage of their life
Is bound in ſhallows, and in miſeries.
On ſuch a full ſea are we now afloat,
And we muſt take the current when it ſerves,
Or loſe our ventures.

Take

Take away the allegory, the thought would have been,—" There are happy moments, which, if a man employs to advantage, all the reſt of his life turns out fortunate; but, if he miſſes them, he is for ever miſerable."—The difference is aſtoniſhingly ſtriking!

Diminution is a trope by which it is in our power to convey a ſecret reproach, by expreſſing leſs than we mean; thus, inſtead of ſaying (which, perhaps, on account of its ſeverity, might not on all occaſions be well received)—*Your conduct is highly blameable*; we might uſe a *Litotes*, and ſay, *I cannot praiſe your conduct*.

Hyperbole is a trope which repreſents things either greater or leſs than they are. We employ this trope when the common terms are either too weak, or too ſtrong, or diſproportioned to our ideas. Thus, leſt we may not ſay enough, we ſay more than enough, or, fearing to ſay too much, we ſay too little: for this reaſon, to expreſs the ſwiftneſs of a racer, we ſay, *His courſe is ſwifter than the wind:* on the other ſide, were I deſirous to ſignify the ſlowneſs of a tardy

tardy perſon, I ſhould ſay, *A tortoiſe goes faſter than he does.* Theſe expreſſions are falſe to the ear, but true to the mind: for the firſt intimates that the racer is extremely ſwift, and the ſecond, that the perſon I alluded to is a very ſlow walker; ſo that by comparing one to the wind, and the other to a tortoiſe, I have expreſſed the ideas as they lay in my mind. By the means of this trope, the wound received from a ſword dwindles into the prick of a pin, and the prick of a pin becomes a mortal wound. Taſſo ſays,

Poſero in reſta, e dirizzaro in alto
I duo guerrier LE NODEROSE ANTENNE.

You muſt take care not to overſtrain this trope, or uſe it but when the minds of the audience are to be ſtrongly affected.

Irony is made uſe of to convey one meaning by its oppoſite, as when we give the name of *honeſt man* to a perſon who is known to be a notorious villain. The tone of voice in which the irony is pronounced, and the known character of the perſon to whom it

is addreſſed, give the audience to underſtand the ſpeaker's meaning. It may alſo be conveyed by an incidental word, ſuch as, *Certainly,—I have no doubt but, ſince you chooſe it*, &c. Thus, Satan makes uſe of this trope, previous to his diſcovering and diſcharging his infernal artillery among the faithful angels:

> Vanguard, to right and left the front unfold,
> That all may ſee who hate us, how we ſeek
> Peace and compoſure, and with open breaſt
> Stand ready to receive them, if they like
> Our overture, and turn not back perverſe;
> But that I doubt: however, witneſs Heav'n:
> Heav'n witneſs thou anon, while we diſcharge
> Freely our part: Ye who appointed ſtand,
> Do as you have in charge, and briefly touch
> What we propound, and loud that all may hear.

And further on, he continues in the ſame trope:

> O Friends! Why come not on thoſe victors proud?
> Ere while they fierce were coming; and when we
> To entertain them fair with open front
> And breaſt (what would we more) propounded terms
> Of compoſition, ſtrait they chang'd their minds,
> Flew off, and into ſtrange vagaries fell,
> As they would dance; yet for a dance they ſeem'd
> Somewhat extravagant and wild, perhaps

For

For joy of offer'd peace: but I ſuppoſe,
If our propoſals once again were heard,
We ſhould compel them to a quick reſult.

Belial anſwers in the ſame ſtrain:

Leader, the terms we ſent were terms of weight,
Of hard contents, and full of force urg'd home,
Such as we might perceive amus'd them all,
And ſtumbled many; who receives them right
Had need from head to foot well underſtand;
Not underſtood, this gift they have beſides,
They ſhew us when our foes walk not upright.

I quote theſe paſſages, not for their intrinſic merit, but only as inſtances of the trope now before us.

CATACHRESIS is the boldeſt of any trope I have yet mentioned. Neceſſity makes it borrow and employ an expreſſion or term quite contrary to the thing it means to expreſs; for inſtance, it has been ſaid, *Equitare in arundine longâ—To ride on horſeback on a ſtick.* Reaſon condemns the contradiction; for a ſtick is not a horſe, but neceſſity has allowed it, and uſe has made it intelligible. The ſame trope is employed in the following

metaphorical expreſſion: The ſeeds of the Goſpel have been *watered* with the *blood* of the martyrs.

To the foregoing, as being the moſt conſiderable and eſſential, all other tropes may be referred. I do not pretend to point out to you a way of diſcovering others: cuſtom will more effectually inform you; and, in the heat of diſcourſe, you will ſeldom find yourſelf at a loſs; fancy will readily prompt the artificial, when the proper term is wanting: as in the heat of battle, when fury turns every thing near it into arms; we ſay, *Furor arma miniſtrat.*

Tropes are the riches of a language, but as the ill uſe of riches renders them fatal to the owner, ſo a profuſion or miſapplication of tropes is the perverſion of a language. A ſpeech, by which the mind is perpetually drawn aſide to artificial meanings, exhauſts the attention, or turns it from the main object, to wander in a region of correlatives. Tropes ſhould be ſtrewed lightly over a diſcourſe, but then not load it. They ſhould keep the mind awake, not harraſs it: they ſhould light it on its way to knowledge, but the light

light ſhould not be ſo glaring as to dazzle: they ſhould ſhine in ſeparate ſpheres, not form a milky-way, if I may be allowed the alluſion. They ſhould not only not be too frequent, but they ſhould never be far-fetched: this is a conſequence of what I have ſaid, for if they are made uſe of, in order to throw light on the ſubject, they ſhould never come in clouds. A trope that is in itſelf unintelligible, or nearly ſo, inſtead of rendering a paſſage more clear, will double the darkneſs; and the orator will find his learning repaid with diſguſt or ridicule. You muſt never have recourſe to unknown corners or ſpots of the world, which it is not to be ſuppoſed that all your auditory are acquainted with. The images ſhould be familiar; the delicacy of the operation conſiſts in applying them; and, therefore, a third defect in the uſe of tropes is, that the connection between the terms may not be perceivable enough. If it requires a ſecond reflection to find it out, the application muſt be injudicious: for it is your buſineſs to impreſs your ſubject on the minds of your audience, and not employ them

in examining whether or not your ſpeech is put together with critical propriety.

Tropes, however, are abſolutely neceſſary, becauſe very often the proper terms are inſufficient. If you wiſhed to convey the idea of a rock of a very extraordinary heighth, the words great, high, elevated, which are uſually given to objects of that nature, paint the idea very imperfectly; but by ſaying, that it is a rock *that menaces the Heavens*; the idea of *Heaven*, which is the moſt elevated part of nature, and the idea of *menace*, which is generally applied to power and ſuperiority, form the idea of a heighth, which you could never have otherwiſe expreſſed than by this hyperbole. But you muſt be very cautious in obſerving a juſt proportion, and never apply a bold trope to a trifling object; nor loſe your conſequence by employing a ridiculous one, ſuch as the following, which I dare ſay, the *Italian* orator who uſed it, thought extremely apt and juſt: *Morte Catonis, reſpublica caſtrata eſt.*

There are a thouſand ways of ſoftening a figurative expreſſion, either by preparing the minds,

minds, or introducing it with begging the audience to make allowance for the term you have uſed, or are about to employ. If an orator has any care of his reputation, he muſt be extremely upon his guard on this head; for, a conſtant and bad uſe of tropes is a ſure ſign of a diſordered imagination. A ſound mind revolts at hearing an injudicious ſpeaker thundering over a trifle. A man muſt be extremely weak in his intellects, who affects pomp and parade on the moſt trivial ſubject. Admiration is never to be ſolicited, but when there is a great object to be held up to it: and we cannot forgive the wretched orator, who wiſhes to impoſe upon the eyes of our underſtanding, a pigmy thought labouring beneath a giant expreſſion.

Proper as well as borrowed expreſſions may be divided into ſeparate claſſes. It has been ſaid, that man is the meaſure of all things. This is no where ſo true as in language; for in the ſame manner as there are among men, ſome born to be placed in high ſtations, revered and reſpected, and others, employed from morning to night in middling ſtations,

or menial ſervices; ſo there are ſome phraſes, words, and turns adapted to ſublime poetry, lofty oratory, and elaborate ſpeeches, and theſe are looked upon as dignified terms; and there are others, which, however ſtrong they be, are condemned to the drudgery of daily diſcourſe; and theſe again are branded with the name of low terms and common phraſes. Betwixt theſe two there is a middle ſort, which partakes a little of both the extremes, and is the foundation of every diſcourſe, of whatever ſpecies it be. If you mix this, from time to time with dignified terms, you raiſe the diction; if, on the contrary, you ſuffer a low term, or an ignoble phraſe to ſlip into it, you degrade the ſtile. One ſingle trivial phraſe, nay, ſometimes, one word, diſhonours a whole page. But there are no rules to be given on this head: this is entirely the province of good taſte.

In all good writers, you may obſerve a continued body of natural thoughts, drawn from common ſenſe, and as it were out of the bowels of the ſubject, *ex viſceribus rei:* this is the ground work of all compoſition:

Scribendi recte, SAPERE *eſt principium et fons.*

Upon this uniform bottom they ſtrew the flowers of elocution, I mean thoſe ſtrokes and thoſe expreſſions which have a diſtinguiſhed character of their own. Genius is ever laviſh of charms and decorations; but though fancy ſecretly ſolicits to give a looſe to her creation, judgment ſtands centinel, and taſte diſtributes her riches. No colour is adopted, if it does not blend with that of the ſubject; nor can a figure make its appearance, that does not aſſimilate with the whole group.

So much for the embelliſhments which rhetoric beſtows on thoughts ſingly conſidered, or as they are dependent on mere logical perception. I now have to treat of the manner in which oratory diffuſes elegance through thoughts, as they depend on judgment or the will; that is, I have given you a ſketch of the rhetoric of ſimple ideas, it remains I ſhould delineate the rhetoric of propoſitions.

That

That relates to *Tropes*, this will comprehend *Figures*.

In arranging your thoughts and expreſſions, you can only have two objects in view, grace and ſtrength: for the order which produces ſimple perſpicuity is more logical or grammatical than oratorical.

To all things done with eaſe, nature has attached grace; and it being the privilege of ſtrength to do every thing without difficulty, it has ſeldom happened that grace and ſtrength have been found aſunder. The vigorous athlet is maſter of all his movements; he knows how to time, to meaſure, and direct them. Examine youth: it is graceful, becauſe it is vigorous; and a line of battle increaſes in ſtrength in proportion as it is drawn up in graceful order.

The application of theſe examples to ſpeech is obvious. In proportion as the arrangement of words contributes to connect ideas, to make them mutually ſupport each other, to give them a certain moment, a decided direction, it animates and fortifies them: and,

and, in the ſecond place, as this connection affects the ear and the mind by the concurrent agreement of ſounds, numeroſity and elegance will be found united with ſtrength and energy.

The arrangement of words and thoughts conſidered relatively to the two above-mentioned effects, comprehends every ſpecies of rhetorical figures, and all the combinations that produce oratorical harmony.

By figure you are to underſtand the arranging of the parts of an oratorial phraſe, or even of many ſuch phraſes, ſo as to add to their grace, or to their ſtrength. It is a ſort of regular configuration, ſomething of the nature of thoſe figures which mathematicians make up of many diſtinct lines.

When there is only one word, or one idea, for inſtance, that of *George*, there is no poſſibility of making a figure, becauſe the idea as well as the expreſſion, being ſimple and ſingle, admits not of combination. It abſolutely forms a point; and you can give no other idea nor expreſſion but that of George. But if there were two parts, then there would be

be a combination, probably, of two ideas, as well as two expreſſions; for inſtance, add the word *King*; then there will be *King George* for one combination, and *George King* for another; which preſent two different ideas as well as two different configurations. A man may be ſtanding, ſeated, lying, in an attitude that betokens activity, paſſion, indolence, &c. ſtill it is the ſame man in a different poſture or form. The ſame thing may be ſaid of thoughts and expreſſions. Theſe are a kind of attitudes which we give them: *Sententiæ quaſi habitus, figura dicendi.* Theſe attitudes or figures are, properly ſpeaking, the expreſſion of ſentiment or of the paſſions in a diſcourſe, as they alſo are in painting and ſculpture: Cicero terms them, *Quaſi geſtus orationis.*

From the multitude then of judgments and propoſitions, of which ſpeech is compoſed, rhetoric ſingles out for its purpoſe thoſe only which impart ſentiment, or convey the paſſions. Theſe, therefore, have particular marks which characteriſe them in oratory. As we may read in the countenance of a man

man all that paſſes in his heart; as the fire of his eyes, the wrinkles on his brows, and the changing of his colour, are the evident ſigns of extraordinary emotions within him, ſo the particular turns of his ſpeech, and the very different way in which he expreſſes himſelf from what he uſes in a ſtate of tranquillity, witneſs the trouble of his ſoul, and the agitation of his mind.

During the tumult of the paſſions, we look upon things in a quite different light from what we do while the mind is calm and ſettled. The paſſions often produce contrary effects. They hurry the mind away, and make it, in a moment, paſs through a variety of changes. They urge the ſoul on from one object to another; they interrupt it; they raiſe it; they depreſs it; they wind it which way they will. They do with the heart of man what the winds do with the ſea. The billows are ſometimes driven towards the ſhore; they are again repelled into the boſom of the ocean: ſometimes the ſurges touch the ſtars, and in an inſtant they ſink to the earth's center.

Thus,

Thus, as words correſpond to thoughts, the ſpeech of an agitated man cannot but be very unequal, or irregular. Sometimes he is diffuſe, and gives a minute picture of the things which are the objects of his paſſion: he exhibits the ſame thing in a hundred different lights. At another time, his ſpeech is broken, and his expreſſions are mutilated; a thouſand things are ſaid all in a breath: his language is interrupted with interrogations and exclamations, or diſturbed with digreſſions. It is diverſified with the moſt particular turns of thought, and the moſt ſingular manners of expreſſion: all which are as eaſy to be diſtinguiſhed from the uſual forms of diſcourſe, as the wild features of an irritated viſage are from thoſe of a ſweet and placid countenance.

Theſe uncommon characters of ſpeech produced by the paſſions, are thoſe which rhetoric, as I have already ſaid, has particularly adopted for its *figures*; and may be defined, *manners of ſpeaking different from thoſe which are natural and uſual*: that is, different from

from thoſe we employ when we ſpeak without emotion.

I recommend the uſe of figures to you for three reaſons. The firſt is, that if you wiſh accurately to paint a perſon under the influence of any paſſion, you muſt put in his mouth the very expreſſions he would uſe, were he actually in that ſituation. An able painter, in order to expreſs thoughts and ſenſations in thoſe whoſe portraits he makes, chooſes thoſe ſtrokes alone which always accompany thoſe thoughts and ſenſations, and which therefore ſerve to point them out. The paſſions, as I have already ſaid, paint themſelves in the eyes, and in the language. The expreſſions of melancholy, and thoſe of joy, muſt be as different as the characters of thoſe two affections are diſſimilar. It is therefore in vain that a man pretends to repreſent them either by colours or by words, if, in the picture, or in the ſpeech, he does not employ the ſtrokes and the figures by which they are naturally diſtinguiſhed.

When the diſcourſe is animated, and bears the marks of the movements of the mind, it occaſions

occaſions a ſecret and inexpreſſible pleaſure. You cannot read the following lines without feeling the tendereſt ſenſations. The circumſtance is that of Niſus ruſhing forward to receive the blow intended for his friend Euryalus.

Me, me: adſum qui feci: in me convertite ferrum,
O Rutuli, mea fraus omnis: nihil iſte, nec auſus,
Nec potuit: Cœlum hoc et conſcia ſidera teſtor:
Tantum infelicem nimium dilexit amicum.

Or thoſe more intereſting of Eve:

——— On *me* exerciſe not
Thy hatred for this miſery befallen;
On *me* already loſt, *me* than thyſelf
More miſerable; both have ſinn'd, but thou
Againſt God only, I againſt God and thee,
And to the place of judgment will return,
There with my cries importune Heav'n, that all
The ſentence from thy head remov'd, may light
On *me*, ſole cauſe to thee of all this woe,
Me, me only, juſt object of his ire.

The

The ſecond reaſon is ſtill more ſtrong, to prove the advantage, and the neceſſity you will ſometimes be under of making uſe of *figures*. You never will be able to affect others, if you yourſelf are not affected:

Si vis me flere, dolendum eſt
Primum ipſi tibi.———

Men cannot perceive whether we are affected or not, if they do not obſerve in our language the marks of the emotions of our ſouls. Commiſeration will not be excited by a ſmiling countenance. To draw a tear, you muſt feel enough to ſhed one. And it is for this reaſon your language muſt carry the marks of the paſſions you wiſh to communicate.

The third reaſon is this, nature has not refuſed to the mind what it has granted to the body. If the body then be naturally taught to exert its muſcles, and diſpoſe itſelf with ſuch dexterity as to attack with effect, or to repel an injury, the mind too ſhould be able to act offenſively or defenſively: nature has

not made it motionleſs, when it attacks, or is attacked. All the figures it employs in ſpeech, when it is agitated, have the ſame effect as the poſtures of the body. They are the arms which the ſoul makes uſe of to perſuade or diſſuade.

As it is impoſſible to enumerate all the various defenſive and offenſive poſtures of the body, ſo it is out of the power of man to mark out all the *figures* that the paſſions make uſe of in ſpeech. I will, therefore, confine myſelf to thoſe more general ones which are the ſources of many others, and by the judicious uſe of which, you will be able to ſway the mind, and maſter the heart.

EXCLAMATION ſhould, in my opinion, hold the firſt place in the liſt of rhetorical figures; by this the paſſions are generally introduced into a diſcourſe. Exclamation is a protraction of the voice in a tone ſomewhat elevated. It proceeds from a ſudden impulſe of a paſſion, or from the yearnings of ſenſibility, when worked up to its higheſt pitch. When you uſe it, you muſt be, or at leaſt ſeem to be, deeply affected. Nothing can be ſo diſguſting

guſting as to hear a cold, unanimated ſpeaker moan out every now and then his frigid interjection. They fall on the heart like chill drops from an iſicle: and yet how often are they made uſe of merely as flouriſhes, or chips, or by way of palling tranſitions. Great ſpeakers and great authors are extremely guarded in the manner they employ this figure.

It was natural for Adam, on ſeeing, though in viſion, the murder of Abel, to exclaim, at the ſight of the firſt death:

Alas! both for the deed and for the cauſe!
But have I now ſeen death! Is this the way
I muſt return to native duſt! O ſight
Of terror, foul and ugly to behold!
Horrid to think! How horrible to feel!
. . . . . .
. . . . . .
O miſerable mankind! to what fall
Degraded! to what wretched ſtate reſerv'd!
Better end here unborn! ———

Cicero thus ends the recital he had made of the ſufferings of a Roman citizen:

O nomen dulce Libertatis! O jus eximium noſtræ civitatis! O lex porcia, legeſque Sem-

proniæ! O graviter deſiderata, et aliquando reddita plebi Romanæ, tribunitia poteſtas! Huccine tandem omnia reciderunt, ut civis Romanus in provinciâ populi Romani in oppido federatorum ab eo qui beneficio populi Romani, faſces et ſecures haberet, deligatus in foro virgis cæderatur.

This is the true and unaffected language of grief and indignation.

The commotions of the mind are not leſs changeable and inconſtant than the waves of an agitated ſea: ſo that they who give themſelves up to their paſſions are in perpetual diſquietude. Sometimes they will; ſometimes they will not. They take up a reſolution, and then they quit it. They approve and diſapprove of a deſign almoſt at one and the ſame moment. In a word, the unſettledneſs of the movements of their paſſions toſſes their intentions about, ſuſpends their operations, and keeps them in a conſtant irreſolution. The figure which repreſents this irreſolution is called DOUBT, of which there is a beautiful inſtance in the picture that Virgil makes of the

the cruel ſuſpenſe in which Dido was, on ſeeing herſelf deſerted by Æneas.

Then thus ſhe ſaid within her ſecret mind:
What ſhall I do? What ſuccour can I find?
Become a ſuppliant to *Hiarba*'s pride,
And take my turn to court and be denied?
Shall I with this ungrateful Trojan go?
Forſake an empire, and attend a foe?
Himſelf I refug'd, and his train reliev'd?
'Tis true, but am I ſure to be received?
Can gratitude in Trojan ſouls have place?
Laomedon ſtill lives in all his race!
Then ſhall I ſeek alone the churliſh crew,
And with my fleet the flying ſails purſue?
What force have I but thoſe whom ſcarce before,
I drew reluctant from the native ſhore?
Will they again embark at my deſire,
Once more ſuſtain the ſeas, and quit their ſecond Tyre?
Rather with ſteel thy guilty breaſt invade,
And take the fortune thou thyſelf haſt made.

An irritated man is never ſatisfied with what he has ſaid, or with what he has done. His paſſion urges him on ſtill further. Thus, the words he has employed, ever appearing inſufficient to expreſs the feelings of his ſoul, he condemns his firſt expreſſions, as being too weak, and corrects the feebleneſs of his own terms, by having recourſe to ſtronger, and even to HYPERBOLES.

Thus Dido to Æneas, on his informing her of his departure:

> False as thou art, and more than false, forſworn;
> Not ſprung from noble blood, nor goddeſs born;
> But hewn from hard'ned entrails of a rock:
> And rough Hyrcanian tygers gave thee ſuck!

The name of this figure, in Greek, is *Epanorthoſis*, and ſignifies *Correction*.

While we are under the influence of a violent paſſion, we can never ſay all we wiſh. The tongue is too ſlow to keep pace with the velocity of the mind: for which reaſon you will ſometimes meet but with as many unconnected words as the tongue could catch during the mental volubility. When the movement of the paſſion is interrupted, or has taken another direction, the tongue, which follows it, utters other words, which, on account of their diſtance, have not the leaſt connection with thoſe which went before. The father, who in Terence, is ſo much in rage againſt his ſon, can only utter one word, and that is *omnium*; he cannot finiſh what he had begun to ſay, viz. That his ſon was the

moſt

moſt abandoned of men. *Omnium hominum peſſimus.* The word *ellipſis*, (the name rhetoricians give this figure) means the ſame thing as *omiſſion.*

There is another ſpecies of *ellipſis* or *omiſſion.* It happens, when, flying from one paſſion to another, or from one ſubject to another, the ſentence is ſo broken into, that there is ſcarce a meaning left, which contributes greatly to create terror, by the ſuſpenſion in which it leaves the audience. This figure is frequently, and indeed moſt naturally, uſed in threatening: as, If I —— But —— I will ——. Virgil's Quos Ego is of this kind.

And King Lear's to his daughters:

> No, you unnatural hags,
> I will have ſuch revenge on you both,
> That all the world ſhall— I will do ſuch things—
> What they are, yet I know not,

There is a figure by which you may make a feigned promiſe, to omit what you at the ſame time really and fully expreſs. When we are animated, a crowd of reaſons ruſh upon the mind. It fain would make uſe of all, but

it is afraid of wearying; beſides, the activity of its operations hinders it from fixing on all: thus it produces a multiplicity of reaſons, which it propoſes, by declaring they ſhall not be mentioned; that is, that there is not time to dwell upon them.—*Not to mention the wrongs he has done.—I willingly paſs over the injuries I have received from him.—I am blind to his machinations againſt the ſtate. I only, &c. Paralipſus* is a Greek word, which likewiſe ſignifies *omiſſion*.

REPETITION is a figure very common to thoſe who ſpeak with much warmth, and who eagerly deſire, that what they ſay ſhould be well underſtood. When we grapple with a foe, we are not ſatisfied with giving him one blow only, we redouble them, till we are ſure of victory. Thus, in ſpeaking, if we doubt that the firſt expreſſion is not well underſtood, we repeat it, or we preſent it in a different light. Paſſion fills the mind which it maſters; it is not therefore to be wondered at, that they who are ſubject to it ſhould expreſs themſelves with emotion. The repetition of the word *fiery*, in Shakeſpeare's Lear, is a beautiful,

beautiful, though ſhort, inſtance of this figure. There is a twofold repetition, a repetition of the ſame words, and a repetition of the ſame things in different terms. Theſe words of King Richard, when he abdicates, are an example of the firſt ſpecies of repetition.

With my own tears I waſh away my blame;
With my own hands I give away my crown;
With my own tongue deny my ſacred ſtate;
With my own breath releaſe all duteous oaths.
All pomp and majeſty I do forſwear.

For an example of the ſecond mode of repetition, I refer you to the ſpeech of the Chief Juſtice to Henry the Fifth, in Shakeſpeare, particularly to theſe lines expreſſing the contempt of juſtice ſo many different ways.

To have a ſon ſet your decrees at nought?
To pluck down Juſtice from your awful bench?
To trip the courſe of law, and blunt the ſword
That guards the peace and ſafety of your perſon?
Nay, more, to ſpurn at your moſt royal image,
And mock your workings in a ſecond body?
See your moſt dreadful laws ſo looſely ſlighted!

It was by this figure that Virgil painted the grief of Orpheus after the loſs of Eurydice.

TE *dulcis conjux*, TE *ſolo in littore ſecum*,
TE *veniente die*, TE *decedente canebat*.

Pliny the Younger employs the ſame figure in deploring the death of Virginius, who had been his tutor, and whom he looked upon as his father.

Volui tibi multa alia ſcribere, ſed totus animus in hâc unâ cogitatione defixus eſt. Virginium cogito, Virginium video, Virginium jam vanis imaginibus, recentibus tamen, audio, alloquor, teneo.

There is a figure by which we expreſs more than is neceſſary to convey the ſimple meaning; but it ſerves to impreſs the idea on our minds, with much more force and effect; as, *My* EARS *have* HEARD *it. I* SAW *it with my own* EYES. The name of this figure is derived from the Greek (pleonaſin) and means *redundance*.

When you expreſs the ſame idea in many different words, which have all of them the ſame ſignification, with different degrees of force, you make uſe of *Synonime*. This figure is recurred to, when the heart is ſo full that

the mouth is unable to utter all that the ſoul feels. Thus, Cicero ſays, *abiit, evaſit, erupit*, in the fulneſs of his aſtoniſhment and joy that Catiline had left Rome.

The objects of our paſſions are almoſt always preſent to the mind. We think we ſee and hear thoſe who have made a ſtrong impreſſion on our ſenſes;

Illum abſens, abſentem auditque videtque.

For which reaſon, all the deſcriptions that are made of thoſe objects are vivid and accurate. They are termed *Hypotypoſes*, becauſe they paint the objects, and form a likeneſs which ſupplies their place: the Greek word means thus much. Boileau beautifully deſcribes, or rather limns, the portrait of Indolence, in his *Lutrin*.

——————— La Molleſſe oppreſſée,
Dans ſa bouche à l'inſtant ſent ſa langue glacée,
Et laſſe de parler, ſuccombant ſous l'effort,
Soupire, etend les bras, ferme l'œil, et s'endort.

A very remarkable and ſtriking inſtance of this figure is given in a ſpeech of *Oreſtes*, in the *Diſtreſſed Mother*.

Who

Who talks of Reaſon? better to have none,
Than not enough.—Run, ſome one, tell my Greeks
I will not have them touch the king—Now—now!
I blaze again!—See there!—look where they come!
A ſhoal of furies!—How they ſwarm about me!
My terror!—Hide me!—Oh, their ſnaky locks!
Hark, how they hiſs!—See, ſee their flaming brands!
Now they let drive full at me! How they grin!
And ſhake their iron whips!—My ears! what yelling!
And ſee Hermione!—ſhe ſets them on!
Thruſt not your ſcorpions thus into my boſom!
Oh! I am ſtung to death!—Diſpatch me ſoon!
There:—take my heart, Hermione!—tear it out!
Disjoint me!—kill me!—Oh, my tortured ſoul!

Virgil paints in one verſe and a half the conſternation of the mother of Euryalus, when ſhe was informed of his death.

miſeræ calor oſſa reliquit:
Excuſſi manibus radii, revolutaque penſa.

This figure is ſometimes called *proſopography*, and may be uſed in diſplaying imagery of any kind.

Diſtribution is a ſpecies of *Hypotypoſis:* it is uſed in order to enumerate the different parts of an object. Thus, Milton, in his deſcription of Raphael:

—Six

Six wings he wore, to ſhade
His lineaments divine; the pair that clad
Each ſhoulder broad, came mantling o'er his breaſt,
With regal ornament: the middle pair
Girt like a ſtarry zone his waiſt, and round
Skirted his loins and thighs with downy gold,
And colors dipp'd in Heav'n: the third his feet
Shadow'd from either heel with feather'd mail,
Sky-tinctur'd grain.

ANTITHESES or OPPOSITIONS. — Compariſons, and ſimiles, which are all calculated to repreſent an object with more perſpicuity, are the effects of that ſtrong impreſſion we receive from the object of the paſſion by which we are goaded, and which it is therefore eaſy to elucidate, as we have it in a manner before our eyes. You well know that oppoſites help to make each other known; thus, white and black are explanatory of each other, as are day and night. Theſe figures admit of much ornament; and the only care to be taken is, that we ſhould put a ſtop to them as ſoon as the objects we meant to illuſtrate are rendered clear and evident. To inſtance Cicero, in one or two paſſages.

Vicit

Vicit pudorem libido, timorem audacia, rationem amentia.—Odit populus Romanus privatam luxuriam, publicam magnificentiam diligit.——Et ſine invidiâ culpa plectatur, et ſine culpâ invidia ponatur.

The heart of a Chriſtian commander ſhould be all beneficence and charity, even when his hands are ſtained with blood; and internally adore the Creator, even when he is under the ſad neceſſity of deſtroying his creatures.

In his youth he had all the prudence of age, and in an advanced age all the vigor of youth.

His manners were as ſimple, as if he had never ſtudied men, but books; and they were as polite as if he had never ſtudied books, but men.

All theſe antitheſes are beautiful in themſelves, but what charms do they not receive from the expreſſion?

When Cicero, pleading for Ligarius, addreſſes Cæſar, he ſays, *Nihil habet nec fortuna tua majus quam ut poſſis, nec natura tua melius quam ut velis conſervare quam plurimos.*

Here every word is wonderfully correſpondent: *fortuna, natura; majus, melius; poſſis, velis.* Is it poſſible for man to ſay more things in fewer words, and in ſo elegant a manner?

Roſcius

Roſcius is praiſed in the ſame ſtile.—*Etenim cum artifex ejuſmodi ſit ut ſolus dignus videatur eſſe qui ſcenam introeat; tum vir ejuſmodi eſt, ut ſolus videatur dignus qui eò non accedat.*

Nothing can be more delicate; and you may obſerve that it is only on occaſions of this nature that an antitheſis ſhould be uſed; never, when the ſoul is agitated by violent paſſions.

When a ſpeech is begun in ſuch a manner that the audience are at a loſs, and eager to know how it will end, there is then a figure made uſe of, called *Suſpenſion*. It is one of the moſt intereſting of all Rhetoric: as it is impoſſible that attention ſhould wander, when every faculty of the ſoul is on the rack of expectation. I recommend to you the frequent uſe of this figure. The moſt intelligent, as well as the moſt uncultivated, are under the controul of curioſity, and Suſpenſion is the only figure by which they are on a level; all will liſten to you, if you have the dexterity of keeping their minds awake, in hopes of ſomething uncommon.

Thus,

Thus, Milton, in that charming paſſage, where Eve profeſſes her love to Adam, carries on the ſuſpenſion by the moſt beautiful of all poſſible repetitions.

> Sweet is the breath of morn, her riſing ſweet,
> With charm of earlieſt birds; pleaſant the ſun
> When firſt on this delightful land he ſpreads
> His orient beams on herb, tree, fruit, or flow'r,
> Gliſtring with dew; fragrant the fertile earth
> After ſoft ſhowers; and ſweet the coming on
> Of grateful evening mild; then ſilent night,
> With this her ſolemn bird, and this fair moon,
> And theſe the gems of Heav'n, her ſtarry train:
> But neither breath of morn, when ſhe aſcends,
> With charm of earlieſt birds; nor riſing ſun
> On this delightful land; nor herb, fruit, flow'r,
> Gliſtring with dew; nor fragrance after ſhow'rs;
> Nor grateful evening mild; nor ſilent night,
> With this her ſolemn bird; nor walk by moon
> Or glittering ſtar-light, *without thee is ſweet.*

A violent paſſion infuriates in a manner, or turns the brain of thoſe who are poſſeſſed by it: they then addreſs themſelves to inanimate nature, or entertain themſelves with the dead. This figure they call *Proſopopœia*, It opens the tombs, gives life to the departed, and a language to Heaven, to Earth,

and

and to all beings, real, abſtracted, or imaginary. This is one of the moſt brilliant ornaments of eloquence.—It is by this figure that Cicero paints the cruel avarice of a gaoler, who ſold to wretched parents the miſerable comfort of ſeeing their children in chains:

Aderat janitor carceris, carnifex prætoris, mors terrorque ſociorum, et civium lictor Sextius, cui ex omni gemitu doloreque certa merces comparabatur. Ut adeas, tantum dabis: ut tibi cibum intrò ferre liceat, tantum: Nemo recuſabat. Quid ut uno ictu ſecuris afferam mortem filio tuo, quid dabis? Ne diu crucietur? Ne ſæpius feriatur? Ne cum ſenſu doloris aliquo aut cruciatu ſpiritus auferatur? Etiam ob hanc cauſam pecunia lictori dabatur. O magnum atque intolerandum dolorem! O gravem, acerbamque fortunam! Non vitam liberum, ſed mortis celeritatem pretio redimere cogebantur!——

Sentences may be deemed figures, as they convey ſentiment, and are reflections made upon a ſubject that deſerves deep conſideration. They ſhould be ſhort, energetic, full of

meaning, and impreſs awe. Thus, Rochefoucault:

Miſers miſtake gold for their good, whereas it is only a mean of attaining it.

It is no great misfortune to oblige ungrateful people, but an inſupportable one to be forced to be under an obligation to a ſcoundrel.

An exclamation which carries a ſentence along with it, or ſome bold idea, which is generally placed at the end of a ſpeech, is called an EPIPHONEMA. It reſembles a *coup de grace*, and conveys a ſhort and vivid reflection, by way of leaving the audience ſtruck with conviction; for inſtance, this half line in Virgil is an EPIPHONEMA.

Tantæne animis cœleſtibus iræ?

And again:

Tantæ molis erat Romanam condere gentem!

And Milton, after the dreadful deſcription of Hell, cloſes with this fine EPIPHONEMA.

O, how unlike the place from whence they fell!

Inter-

INTERROGATION reigns throughout all figurative diſcourſes. Paſſion always directs itſelf towards thoſe we wiſh to perſuade, ſo that we are ever addreſſing our ſpeech to them. This figure is of wonderful uſe for keeping the attention alive, compelling the audience to liſten, and of making a forcible impreſſion: thus Tully, to ſhew that Tubero had himſelf bore arms againſt Cæſar in the battle of Pharſalia, ſays:

Quid enim Tubero, tuus ille diſtrictus in acie Pharſalicâ gladius agebat? cujus latus ille mucro petebat? Qui ſenſus erat armorum tuorum? quæ tua mens? oculi? manus? ardor animi? quid cupiebas? quid optabas?

The APOSTROPHE addreſſes its ſentiments to all things and beings around it: it applies for aſſiſtance to all nature, to inſenſible as well as ſenſible things: it calls Heaven and Earth to witneſs to wrongs ſuffered, or to benefits conferred. Virgil's apoſtrophe to Troy ſhews all the attention, tenderneſs, and love of a good citizen:

Trojaque nunc ſtares, Priamique arx alta maneres!

Milton has left us a ſublime example of this figure in his addreſs to the ſun, one of the moſt finiſhed pieces of eloquence ever written.

I would alſo recommend to your practice a figure uſed to prevent the objections that an adverſary might raiſe againſt us; and another, which teaches to anſwer thoſe objections we ourſelves have ſtarted. Thus, Belial, in Milton——

> Wherefore ceaſe we then?
> Say they who counſel war? We are decreed,
> Reſerv'd, and deſtin'd to eternal woe,
> Whatever doing; what can we ſuffer more?
> What can we ſuffer worſe?——Is this then worſt,
> Thus ſitting, thus conſulting, thus in arms? &c.

COMMUNICATION is conſidered as a diſtinct figure, though a ſpecies of interrogation. By it we deliberate with our auditors, and aſk them their ſentiments of what is beſt to be done. Satan deliberates thus with the infernal ſenate:

But

But firſt, whom ſhall we ſend
In ſearch of this new world? Whom ſhall we find
Sufficient? Who ſhall tempt, with wandering feet,
The dark, unbottom'd, infinite abyſs?
And thro' the palpable obſcure, find out
His uncouth way? or ſpread his airy flight,
Upborne with indefatigable wings,
Over the vaſt abrupt? &c.

CONFESSION is an avowal of our faults or crimes, in order to gain upon the pity of our judge, by the open confidence we expreſs in his goodneſs and clemency. A more delicate uſe of this figure conſiſts in ſliding in the aſſumption of a propoſition in the ſhape of confeſſion, which it might have been difficult to have made out by regular argument. The firſt ſpecies is thus inſtanced in a ſpeech of *Eve*, from Milton:

Ill worthy I ſuch title ſhould belong
To me, tranſgreſſor, who for thee ordain'd
A help, became thy ſnare: to me reproach
Rather belongs; diſtruſt and all diſpraiſe.
But infinite in pardon, &c.

CONSENT is a figure by which we grant what we might deny, in order to obtain what

we wiſh to acquire. This figure is generally very malicious, and is for the moſt part uſed in ſatire. By it we likewiſe ſolicit an enemy to do all the harm he can, that by the horrid picture he may be moved to compaſſion. It alſo conveys the complaints of one friend to another. Thus Ariſtæus, in Virgil;

Quin age, et ipſa manu felices erue ſylvas
Fer ſtabulis inimicum ignem, atque interfice meſſes:
Ure ſata, et validam in vites molire bipennem:
Tanta meæ ſi te ceperunt tædia laudis.

There is a kind of bye-path we take to avoid certain expreſſions which might convey ideas too ſhocking, and probably productive of evil conſequences: this figure is called *Periphraſis*. Thus Cicero, being obliged to own that Clodius had been killed by Milo, makes uſe of this figure, in order to avoid the odious terms of killing, or putting to death, or taking away his life:

Fecerunt id ſervi Milonis (dicam enim non minuendi criminis cauſâ, ſed ut factum eſt) neque

neque imperante, neque ſciente, neque preſente domino, quod ſuos quiſque ſervos, in tali re facere voluiſſet.

Manlius well knew how odious the name alone of King was to the Romans; he was, however, deſirous of riſing to that exalted ſtate. He ſignified it in a dextrous manner, by owning that he was ſatisfied with the honor of being their protector; but he inſinuated at the ſame time that the title of King, which he took care not to mention, would enable him to be more ſerviceable to them:

Ego me patronum profiteor vobis, quod mihi cura mea, et fides nomen induit. Vos, ſi quo inſigni magis imperii honoriſve nomine veſtrum appellabitis ducem, eo utemini potentiore ad obtinenda ea quæ vultis.

Theſe are the principal figures of expreſſion as well as thought. They are, ſays the Roman orator, the eyes of a ſpeech; they irradiate, they animate, and they beautify. But if thoſe eyes were ſpread throughout the whole body, what would become of the

functions of the other members, which are much more neceſſary, and more ſerviceable?

Ego ſane lumina orationis, velut oculos, quoſdam eloquentiæ credo; ſed neque oculos eſſe toto corpore velim, ne cætera membra ſuum officium perdant.

I will take this opportunity of adding a few words on the method you are to obſerve in putting together the different parts of a diſcourſe, and on the different modes of proceeding of the ancients and of the moderns.

The ancients divided an oration into four principal parts: the Exordium, the Narration, the Confirmation, and the Peroration, and they have laid down ſuch an abundance of directions for the conſtruction of each of theſe parts, that one would imagine they had conſidered the compoſition of a ſpeech as a mechanical operation.

They ſeem to have attended very little to the eſſential difference between the judicial and the deliberative oration, and not at all to the diſtinction in judicial ſpeaking between the accuſation and the defence.

The

The French adhere to the ancient diviſion of a ſpeech, with ſome variation adapted to the ſituation of the advocate, and to the part which he is to ſuſtain.

The negligence and the good taſte of our Engliſh orators at the bar, and in the ſenate, have operated equally to diſcard the ancient diviſion intirely.

If good taſte were univerſal, I ſhould have no advice to offer upon this ſubject. It is the ſource from whence the rules of compoſition were drawn (whether they were well or ill drawn) by the ancients. If we can go up to it, we want not their aſſiſtance; but all are not bleſt with good taſte; all are not born orators. Good taſte is ordinarily the reſult of much application and cloſe ſtudy of the beſt models. To young men, therefore, ſome hints upon this ſubject may be of uſe.

I do not mean to put you into the trammels of the ancient rhetoricians: having admitted that good taſte had thrown off their ſhackles, I ſhall not inſiſt on galling you with them. In truth, however well adapted they may have been to the judicatures of antiquity, which

which were generally popular, and arbitrary to a very great degree, they were ill-ſuited to our times, manners, and diſtributions of judicial authority.—Let us endeavour to extract their eſſence.

In the nature of things, there muſt be an introduction to your ſpeech.—So much for *Exordium*.

Your object muſt be to ſtate the caſe of your client.—There is the *Narration*.

Every argument which can be uſed to illuſtrate and apply the evidence, if it be a caſe upon evidence which you are to ſupport, or to apply facts to the law, for the purpoſe of deducing right and title in favour of your client, is to be uſed. You are alſo to refute, by facts and arguments, all that has been offered on the part of your adverſary, which rhetoricians include under the head of confirmation; and ſo far there will be *Confirmation* in every ſpeech.

And you muſt round off and finiſh your ſpeech, which is the *Peroration*.

What is the reſult? You muſt have a beginning and an ending to your ſpeech, and you

you muſt place all your contents in the middle, in a certain order; firſt facts, and then arguments.

After taking much pains to inform you what ſort of thing your exordium ought to be, the rhetoricians tell you fairly that you may ſometimes do without it, and ruſh at once into your ſubject.

A moſt capital oration is yet tingling in our ears, which concluded without any peroration (1).

Two of the ſuppoſed integral parts of the compoſition of an oration may therefore be diſpenſed with. The other two parts certainly cannot be ſo diſpoſed of: but the order in which they are arranged, may. They are often neceſſarily blended; for it may happen that the facts of a caſe cannot be ſtated nakedly without their illuſtrations and bearings. There the *narratio* and *confirmatio* become one operation, and one part only of the compoſition of the ſpeech.

(1) Sheridan's ſpeech in the Houſe of Lords, on the trial of Mr. Haſtings.

I will

I will not attempt to ſtate a correct idea of what a bar-ſpeech ſhould be, or how it ſhould be compoſed; but I will obſerve, in general, that your object being to inform and to perſuade, it is, as I before obſerved, in the very nature of the thing, that ſo much as is neceſſary to the underſtanding of the ſubject upon which you are to addreſs your audience muſt be ſtated by way of introduction: beyond this point, exordium or introduction is but in the nature of a graceful bow upon coming into a room; and I do not undertake to teach you how to do it.

How you are then to proceed will depend very much upon your ſituation, Whether your client be plaintiff or defendant; whether proſecutor or accuſed: as counſel for a plaintiff or a proſecutor, you proceed to ſtate the caſe, by which I mean the facts, with their application to the queſtion depending in judgment; which queſtion I ſuppoſe to have been previouſly ſtated by way of introduction. Neatneſs, clearneſs, and preciſion in the detail are indiſpenſable: ornament very ſoberly uſed may be endured.

When

When you are not likely to have a reply, or when you are apprehenſive of the reply you are likely to have, you anticipate and anſwer objections.

If the ſubject be very complicated, recapitulation may be convenient, otherwiſe you finiſh with ſomething like another graceful bow, tranſlated into very good Engliſh.

There is ſuch an eſſential difference between attack and defence, that a ſpeech for a defendant is, in the original conception of it, a very different ſort of thing. It is in its nature relative throughout; it not only takes its complexion and character from the charge to which it has relation, but often derives its very ſubſtance out of it. Its general object is to reſiſt what has been alledged by the party who has exhibited his ſuit or complaint. This may be done in various ways: the caſe of a defendant may be ſuch, that his defence may conſiſt ſimply in diſproving the exiſtence of the facts relied upon by the plaintiff, or ſhewing the fallacy and inconcluſiveneſs of the arguments urged in his behalf. Or he may admit the force of the one and the truth

of

of the other, and juſtify facts imputed to him, or avoid the force of facts and arguments uſed againſt him, by proving other facts, and applying them, by the medium of other arguments, to the eſtabliſhment of a ſuperior and permanent right in himſelf, or in ſome other, both of them equally deſtructive of the plaintiff's claim.

The nature of a defence muſt be ſeen and underſtood, before the plan of the ſpeech can be thought of. It will depend upon which of the two general grounds of defence he is to make, Whether the ſpeaker is to be cloſe-hauled, within two points of the wind, or going large with a flowing ſail? In one ſituation every thing is conteſted, every advantage eagerly inſiſted upon; every thing which inſinuation and addreſs can introduce, or ſtrict logic can drive, is made uſe of.

In the other, the gauntlet is boldly taken up; the defence partakes of the nature of an attack in a great meaſure, but it is more limited, having for its ultimate object only that degree of ſucceſs which conſtitutes defence for that occaſion.

We

We ſhould make ſad work, in theſe ſorts of ſpeeches, more eſpecially thoſe of the firſt kind, with exordiums, narrations, confirmations, and perorations, in the ſtrict order of battle in which the Rhetoricians have drawn them up: theirs may be a good diſpoſition for a general engagement; but when you are waging a war which is merely defenſive, or attack only ſo far as cutting off convoys, and hanging upon the enemy's rear, entrenchments and light troops will do better ſervice.

As common to judicial eloquence, on all occaſions which call for the exertion of it, examine well the object you have in view, mark and define in your own mind the true extent of it; then look at the means which your caſe affords for attaining it; arrange your facts and arguments as they appear to you beſt to illuſtrate your ſubject, and to have the moſt obvious tendency to convince the underſtanding: where, by the way, you will find that they are ſometimes to be taken in an united ſeries, and ſometimes ſeparately, and entirely detached from each other. Endeavour, by ſtudying the beſt models of compoſition

ſition and elocution, to acquire a graceful manner, and a correct ſtile; then begin and proſper.

Nec facundia deſeret hunc, nec lucidus ordo.

I will now put an end to this work, by laying before you a few examples, in which I ſhall make it my buſineſs to point out to you, in the firſt place, the courſe that Logic purſues throughout a ſpeech, and what ſtrength it infuſes: and, in the ſecond place, how Rhetoric ſtrews its flowers over reaſoning, to hide the aſperities of argumentation.

The firſt example, in praiſe of the Saxon laws, comprehends only two oratorical arguments: the other examples are from Milton, where I give a ſhort analyſis of the ſpeeches of Satan, Moloch, and Belial, in the infernal debate, which compriſe the pro and con, and the ſtate of the queſtion.

FIRST

FIRST EXAMPLE.

The perverſity, not only of the rude and unlettered, but of the moſt learned and poliſhed members of ſociety, is felt in numberleſs occaſions, but in none more than in their eagerneſs to adopt every thing that is foreign, to the utter prejudice of their own country. For although nature has implanted in the heart of man a predilection for thoſe ſhores where he firſt drew breath; though the delights of every other region and province yield to the affection he bears his native land: there are notwithſtanding very few, who do not even deſpiſe *their country in their country*, I mean the maxims and manners of their forefathers, and the ſacred cuſtoms of the land. As if nature had ſo dealt with us, as to beſtow wiſdom on all other nations, and to deny us what is common to all mankind, the bleſſing of common ſenſe and right reaſon (1). Nothing can be more diſgraceful; nothing

(1) The propoſition or the enunciation of the ſubject: *It is diſgraceful to prefer whatever is foreign to that which our own country ſupplies us with.*

can be more detrimental to the public weal than this propenſity. For, the reflection of a moment may convince us, that it is through this perverſe curioſity, and blind attachment to every thing foreign, that not only luxury and profuſion, but almoſt every other vice, flows in upon our country (2). But this admiration of whatever does not belong to us, is no where more dangerous than when it affects in any ſhape the laws of the land (3). For as they were originally attempered and inſtituted ſo as to ſuit our diſpoſition, to anſwer our civil purpoſes, and agree to the conſtitution and form of our commonwealth; the greateſt confuſion muſt neceſſarily ariſe if other laws, accommodated to other nations, be raſhly or ignorantly introduced into ours (4). This you will the better conceive, when I ſhall have made a few obſervations on the obligation an Engliſhman is

(2) The reaſon: *It is prejudicial to the community at large.*

(3) The application: *This curioſity is particularly dangerous, when it affects the laws of the land.*

(4) The queſtion: *For other laws are not calculated for our conſtitution.*

under

under of ſtudying the old and ſacred cuſtoms of his country. Favor me therefore, Gentlemen, with your attention, and aſſure yourſelves that the ſubject is no trifling one, but of the utmoſt import to every one of us: ſo much ſo, that it were perfectly unneceſſary to ſolicit your benevolence, did I not feel how unequal I am to the duty which I have impoſed upon myſelf (5).

If our ancient Saxon laws, maxims, and cuſtoms, had no other merit ſave that of being the moſt equitable and the moſt ſimple that ever had been handed down to poſterity; this alone ſhould diſpoſe us to give them a decided preference to all others, and ſtudy them with patriotic (1) alacrity. For

(5) The propoſition; and conciliating the good-will of the audience.

(1) The firſt argument comprehended in an oratorical ſyllogiſm:

Thoſe laws, which are the moſt equitable, are the moſt deſerving of our attention and ſtudy.

Now the ancient Saxon laws are the moſt equitable:

Therefore they are the moſt deſerving of our attention and ſtudy.

The enunciation of this ſyllogiſm is contained in this firſt period.

it is well known to all who are any ways converſant in matters of civil polity, that the ſovereign and divine wiſdom ſhines no where with ſuch luſtre as in thoſe laws, which are recommended for their ſimplicity and equity, and are beſides the very dictates of unchangeable and unerring nature (2). And indeed, as that beautiful and eternal order of nature, by which all things move on in a perpetual and uniform courſe, by which the wide world is governed, by which every thing within the ſphere of our underſtanding, or the activity of our ſenſes, regularly and conſtantly conſpires to the welfare and advantage of the whole univerſe, fill us with admiration of the infinite wiſdom of the Divine Power: ſo we cannot but look up with aſtoniſhment to the exalted and godlike minds of thoſe who have bleſt a kingdom with laws by which juſtice reigns triumphant, by which frauds and crimes are condemned to ignominy, to fines, to chains, and death; by which juſt and honourable undertakings for the good of the

(2) Illuſtration of the major propoſition: *Supreme wiſdom is conſpicuous in good laws.*

country,

country, are crowned with rewards and dignities, in a word, by which, the realm is quiet and happy within itſelf, and formidable to its enemies (3). This pre-ſuppoſed, for it is too evident to require proof, there is no nation under the ſun whoſe laws and inſtitutes are worthier of intenſe application than the ancient laws of our own country, as they bear ſtronger marks of divine wiſdom than any others, and are beſides the beſt adapted to our immortal conſtitution (4). The ſaying which admiration drew from *Craſſus*, on the ſubject of the Roman laws, may be juſtly applied to the ancient Saxon laws; "Let "the world ſay what it will, I loudly de- "clare, that the very few and equitable laws "of the ancient Saxons, if you examine the "ſources from whence they flow, the grounds "on which they are founded, the authority

(3) Second illuſtration of the major propoſition by a ſimile: *As the divine wiſdom ſhines forth in the beautiful order of nature, ſo human wiſdom is ſeen in the framing of good laws.*

(4) The minor propoſition of the firſt oratorical ſyllogiſm.

" they bring with them, and their extenſive " influence, ſurpaſs all the wiſdom of philo- " ſophers, and even the libraries of all na- " tions" (5).

Our Saxon anceſtors were nobly ignorant of the ſubtlety of modern legal language, which is a ſnare ſpread to catch the unwary and the innocent. They had no recourſe to far-fetched interpretations of a ſimple maxim: they never bought or ſold at an enormous price, the knowledge of what a man ſhould or ſhould not do, in order to avoid ruin or death: in fine, they ſuffered not their ſtate to be infeſted with endleſs broils, or to be preyed upon by human vultures. All was then ſimple; all was juſt and ſacred. Their laws were few, but they were clear; they were comprehenſive, and wiſely drawn from the eternal reaſon of the Divine Mind. They required no illuſtration, much leſs con-

(5) Illuſtration of the minor propoſition, *by a compariſon of the Saxon laws with thoſe of the twelve tables, and by adapting the praiſe which Cicero gives them to the laws of our country.*

tention,

tention. The undiſputed authority of obvious law over-ruled the appetites and diſorderly affections of men, ſo that each kept his own property without fear, and abſtained, even in thought, from that of his neighbour (1). What other laws could be expected from a people to whom luxury, prodigality, and every diſorder of this nature were unknown; from a people who relied on their own conſcience for the rectitude of their (2) actions, not on the quirks of a lawyer; and *whom*, as Tacitus ſays, *good morals actuated more than good laws* (3). Wherefore, if our country be as dear to us as it ſhould be; if, like Ulyſſes, we could renounce immortality itſelf ſooner than abandon it, how ſhould our boſoms burn with affection for its laws, which have ſur-

(1) Further illuſtration of the minor propoſition: *For the laws of the Saxons are clear of all captious arguments.*

(2) Third illuſtration of the minor: *For they were framed by the moſt innocent and the moſt virtuous of people.*

(3) Fourth illuſtration of the minor: *From the teſtimony Cornelius Tacitus.*

paſſed thoſe of all other nations in equity and ſimplicity, as much as our anceſtors have ſhone above all other people in the innocence of their lives, and the ſanctity of their morals. (4) Nor is this the only motive, Gentlemen, that ſhould induce us to inveſtigate and reſtore to their ancient purity, the laws of our country. I have other reaſons to lay before you (5). Such is the nature and diſpoſition of men, that their own advantage is the meaſure of all their actions and their undertakings: they think thoſe things only worth contending for which are likely to be productive of the greateſt utility to themſelves.

This natural inclination is not, in a certain

(4) The concluſion: *Therefore the ancient Saxon laws are the moſt deſerving of our attention and ſtudy.*

(5) Tranſition to the ſecond argument contained in this oratorical ſyllogiſm.

Whatever is of the greateſt advantage to us at the bar, ſhould be cultivated with the utmoſt diligence.

Now the ancient laws of the realm are of the greateſt advantage at the bar.

Therefore they ſhould be cultivated with the utmoſt diligence.

light,

light, unreaſonable (1). For as the ſhortneſs of this life forbids us to form long hopes, and as no time ſeems prudently and happily employed, but that which makes us either better, or more ſerviceable to the commonwealth, it naturally follows, that in ſuch a contracted ſpace, we ſhould not direct our purſuit after ſupervacaneous objects, and that we ſhould always recollect, (2) that whatever we learn, is learned not for the purpoſes of vanity, but of thoſe of life. Ariſtippus being once conſulted upon what he thought to be the moſt important object in a youth's education, anſwered; Let him learn that which he can make the moſt and beſt uſe of when he comes to be a man. This advice was judicious and ſenſible; for where is the man, ſays Pliny, who has patience enough to be willing to undergo the trouble of learning that which he will never put in practice? (3) If the things I have ſaid

(1) The major propoſition of this oratorical ſyllogiſm.

(2) The reaſon of the major propoſition——*Our learning ſhould be ſuited to the purpoſes of ſociety.*

(3) Illuſtration of the major propoſition; *from the teſtimony of Ariſtippus and Pliny.*

be true, as they are moſt undoubtedly ſo, it follows, that we muſt look upon the ancient laws of this kingdom not only as the moſt excellent of all laws, but the ſafeſt, the ſureſt, the moſt uſeful, in ſhort, the only laws for a conſtitution like ours (4). What makes me more particularly dwell upon this is, that our ancient maxims are every day yielding ground to unfair quibbles, wreſted interpretations, and youthful ſophiſms. Some even have been, and are, daring enough to pollute our ſanctuaries of juſtice with foreign codes. But not to mention the inſolence, how great muſt have been the ignorance of theſe people (5). Juſtinianean edicts, and laws of continental deſpotiſm, are ill calculated for the meridian of Great Britain. If at any time a foreign law makes its appearance amongſt ours, it is not becauſe it is a precept adopted from another body of laws, but becauſe it is grounded on that reaſon, on that eternal law, which we have

(4) The minor propoſition; *a knowledge of the ancient laws of the realm is of the greateſt advantage at our bar.*

(5) Illuſtration of the minor, which continues in various ſhapes down to the concluſion.

learned,

learned, drawn and expreſſed from nature itſelf. In ſpite of the frequent efforts of many unpatriotic lawyers, our Saxon laws have hitherto withſtood the encroachment of thoſe of Rome. All that Roman juriſprudence has amaſſed and heaped together in its multifarious titles and numberleſs diviſions, ſhould have no more weight with us than the laws of the Hindoos, or of the Perſians. We have remedies of our own for every political evil, ſo much the more efficacious, as they are in themſelves more clear and conciſe. By the godlike laws which our anceſtors have handed down to us, *we are as divided as our iſland from the reſt of the world.* This being the caſe, it is our buſineſs to cheriſh thoſe laws which no nation has the bleſſing of enjoying in common with us. Inſtead of bewildering ourſelves in modern mazes of diſingenuous evaſions, let it be the buſineſs of our leading men to collect, and hold forth to the view of the riſing generation, the pure notions of their unbiaſſed anceſtors: let it be our ſtudy, Gentlemen, to be ſo much the more induſtrious in digging for the gems of ancient juſtice, as the light they

they will afterwards afford us will be genuine and unerring (1). The body-politic, unfettered by the trammels of chicane, will then move with eaſe, and exert its native vigor. How clear will the trump of Fame ſound in the praiſes of thoſe who contribute towards the accompliſhment of ſo glorious a deſign. This, Gentlemen, is a field where the painful lucubrations of ſo many years may be nobly diſplayed. Here you may attain the height of human merit, that of doing juſtice to your country, and to the feelings of your own hearts (2).

SECOND EXAMPLE.

Satan's Speech.

The debate is opened by Satan, and his ſpeech ſhould naturally turn, in the firſt place, on vindicating his right to preſide, and, in

(1) Concluſion of the ſecond argument.——*Therefore the ancient laws of our realm are the moſt deſerving of our attention and ſtudy.*

(2) Exhortatory Concluſion of the whole.

the

the ſecond place, on the ſubject for which they are met, that is, how they are to regain their loſt inheritance. This diviſion is extremely ſimple, but it is very oratorical, as it affords Milton the opportunity of characterizing Satan by his known vice, PRIDE, which he diſplays while he aſſerts his right to preeminence.

Pow'rs and Dominions, Deities of Heav'n,
For ſince no deep within her gulf can hold
Immortal vigour, though oppreſs'd and fall'n,
I give not Heav'n for loſt. From this deſcent
Celeſtial virtues riſing, will appear 15
More

Book II. V. 11. Satan's character is ſeen in the very firſt line of his addreſs. It is all pomp, but the climax is maſterly: firſt he compliments them with *ſtrength*, then with *ſtrength* added to *dominion*; and laſtly, *ſtrength* and *dominion* crowned with *god-head*. In the laſt word of this line there is artful encouragement, which he proves in the three following lines.

V. 12. Here you may obſerve a bold pleonaſm, uſed by *Milton* to paint the dreadful profundity of hell; for ſaying a *deep* holds within its *gulph*, is the ſame thing as a *deep* holds within its *deep*; but the poet felt the force of the imagery, and ventured the figure.

V. 15. *Celeſtial virtues*; here the *cauſe* is elegantly uſed for the *effect*; for virtue inſpires confidence on the knowledge of

More glorious and more dread than from no fall,
And truſt themſelves to fear no ſecond fate.
Me, though juſt right, and the fix'd laws of Heaven
Did firſt create your leader, next free choice,
With what beſides, in counſel or in fight,
Hath

of its own rectitude, and vigor and exertion are the reſult. The demons are therefore called *Celeſtial virtues*, alluding to that immortal vigor which Satan beſtows upon them, in order to encourage them to re-aſcend into Heaven. You are ſatisfied how neceſſary it was for the infernal orator thus to fill his aſſociates with ſelf-affiance.

V. 18. Here, and in two or three of the following lines, he enumerates his reaſons for ſupremacy. As the three firſt of which might be diſputed, he takes this opportunity of bringing them forward by an *oratorical precaution*, and ſuppoſing them inconteſtable. To make the Devil ſtill ſpeak in character, Milton has taken care that the firſt reaſon ſhould be ſuggeſted by *pride*. This reaſon he arrogantly calls *juſt right*. The ſecond reaſon is grounded on what no being can alter, that is *fate*, *The fixed laws of Heaven* he terms it; the third reaſon is what they themſelves can never gainſay, *Free choice*: his two laſt reaſons, that is, his *merit in council and his merit in fight*, he only glances at; as by the firſt they had loſt Heaven, and by the ſecond, they had been ſo far from regaining it, that it worked their utter perdition. It was neceſſary, however, to mention the ſuperiority in both, that the fallen ſpirits might ſtill rely on his deſperate undertakings.

V. 21.

Hath been atchiev'd of merit, yet this loſs
Thus far at leaſt recover'd, hath much more
Eſtabliſh'd in a ſafe unenvied throne,
Yielded with full conſent. The happier ſtate
In Heav'n, which follows dignity, might draw
Envy from each inferior; but who here
Will envy whom the higheſt place expoſes
Foremoſt to ſtand againſt the Thund'rer's aim,
Your bulwark, and condemns to greateſt ſhare
Of

V. 21. To the foregoing reaſons he adds a ſixth, that is, none will diſpute precedence in ſufferings with him. The former reaſons he barely mentions, but as he has no doubt of the effect of this one, he makes uſe of a bold interrogation when he propoſes it to them: *Who here will envy?*——

V. 27. *Whom the higheſt place expoſes foremoſt to ſtand againſt the Thunderer's aim!*—This is one of thoſe bold ſituations of imagery by which Milton is ſo ſublimely diſtinguiſhed.

V. 28. *Thunderer.* Synecdoche; that is a part for the whole: for he that can do all things, can likewiſe thunder; and as this exertion of his power is peculiarly alarming, we borrow from it the appellation of the author.

V. 29. *Your bulwark.* A metaphor. A mound raiſed to withſtand the impetuoſity of the ſea is a bulwark. Satan is therefore fortunate in the expreſſion he makes uſe of, as it conveys an idea of the evils he will have to ſupport, to ſave his infernal aſſociates from the wrath of the Divinity.

V. 30.

Of endleſs pain? where there is then no good
For which to ſtrive, no ſtrife can grow up there
From faction; for none ſure will claim in Hell
Precedence; none, whoſe portion is ſo ſmall
Of preſent pain, that with ambitious mind
Will covet more. With this advantage then
To union, and firm faith, and firm accord,
More than can be in Heav'n, we now return
To claim our juſt inheritance of old,

Surer

V. 30. You may here obſerve an inſtance of a beautiful oratorical ſorites:

Where there is no good to be gained there can be no ſtrife.
Where there is no ſtrife there can be no faction.
And where there is no faction there muſt be union.

This ſorites ends in V. 36.

V. 31. *No ſtrife can grow up there from faction.* A metaphor ſo much the more juſt, as it may be applied to a noxious weed.

V. 33. 32. A perſuaſive repetition of *none.*

V. 34, 35. *Ambitious mind will covet more:* here one paſſion borrows an expreſſion from another, that is *ambition* has recourſe to *avarice* for the term *covet* in order to ſtrengthen the idea.

V. 37. *More than can be in Heaven.* This is an artful oratorical conſequence from the ſuppoſition that there muſt be envy in Heaven on account of dignity, and none in Hell on account of pain.

V. 39,

Surer to proſper than proſperity
Could have aſſur'd us; and by what beſt way,
Whether of open war or covert guile,
We now debate; who can adviſe, may ſpeak.

MOLOCH'S SPEECH.

If the former ſpeech is characteriſtic, this is not leſs ſo. It paints the fierce ſpirit, who is now *fiercer by deſpair*, as Milton beautifully expreſſes it: the four lines he gives us on this ſubject are inimitable:

> His truſt was with th' Eternal to be deem'd
> Equal in ſtrength, and rather than be leſs
> Car'd not to be at all; with that care loſt
> Went all his fear: of God, or Hell, or worſe,
> He reck'd not ———

My ſentence is for open war: of wiles,
More unexpert, I boaſt not: them let thoſe
Contrive

V. 39, 40. Here you may obſerve an inſtance that very ſeldom happens in oratory, a rational antitheſis and *jeu de Mots—Surer to proſper than proſperity could have aſſured us.*

V. 41. *Open war or covert guile.* This ſecond antitheſis is the ſubject of the debate, and is ſo conciſe and ſimple, that it cannot be found fault with.

V. 51. This beginning is what the Rhetoricians call an *exordium ex abrupto*, and well ſuits the ſtern ſpirit who ſpeaks.

Contrive who need, or when they need, not now.
For while they ſit contriving, ſhall the reſt,
Millions that ſtand in arms, and longing wait
The ſignal to aſcend, ſit ling'ring here
Heav'n's fugitives, and for their dwelling-place
Accept this dark opprobrious den of ſhame,
The priſon of his tyranny who reigns
By our delay? No, let us rather chooſe,
Arm'd with Hell flames and fury, all at once
O'er Heav'n's high tow'rs to force reſiſtleſs way,
Turning our tortures into horrid arms
Againſt

The contraſt and alliteration *of war and wiles* owe much of their beauty to their conciſeneſs.

V. 55. A grand image. *Millions that ſtand in arms.* Obſerve by the way that ſulleneſs generally propoſes its arguments in diſdainful interrogations: *Shall the reſt ſit lingering here Heaven's fugitives?*

V. 58. *Den of ſhame:* This expreſſion is not uncommon; it is however rich by perſonifying ſhame. *The priſon of his tyranny:* here you may obſerve a ſmall ellipſis, that is, *which he has made,* &c.

V. 60. His anſwering his own queſtion, in a blunt negative, is finely characteriſtic. *No!—*

V. 61. *Arm'd with Hell flames and fury:* Armed with flames, and armed with fury, form two bold catachreſes, which the poet judiciouſly puts in the mouth of *this* ſpeaker.

V. 63. The idea of turning his tortures into arms againſt his torturer is nobly diabolical. There is a metaphor in the application

Againſt the torturer ; when to meet the noiſe
Of his almighty engine he ſhall hear
Infernal thunder, and for lightning ſee
Black fire and horror ſhot with equal rage
Among his Angels, and his throne itſelf
Mix'd with Tartarean ſulphur, and ſtrange fire,
His own invented torments. But perhaps
The way ſeems difficult and ſteep, to ſcale
With upright wing againſt a higher foe.
Let ſuch bethink them, if the ſleepy drench
Of

application of arms to tortures, and there is a beauty in the *Jeu de mots*, as it gives them room to dwell upon the ſavage idea.

V. 67. *See black fire and horror ſhot :* There is a catachreſis in the ſenſe of the word black, as it is here applied to fire : you eaſily conceive that Moloch alludes to the rowling ſmoke with which the fire is enveloped. To *ſhoot horror*, is a ſynecdoche, as it gives the effect for the cauſe.

V. 69. *Tartarean :* Alluſion to the hell of the Gentiles. *Strange fire :* alluſion to the ſacred Scriptures, *They offered ſtrange fire before the Lord.* Levit.

V. 70. The idea of converting the inventions of the Almighty againſt himſelf, is of a piece with the deviliſh thought I have before alluded to. *But perhaps :* here he propoſes an objection which he himſelf ſolves, *To ſcale with upright wing* ; this image is peculiarly ſtriking. The metaphor is taken from fortification.

V. 73. *The ſleepy drench of that forgetful lake,* Alluſion to the river *Lethe*.

Of that forgetful lake benumb not ſtill,
That in our proper motion we aſcend
Up to our native ſeat: deſcent and fall
To us is adverſe. Who but felt of late,
When the fierce foe hung on our broken rear
Inſulting, and purſued us through the deep,
With what compulſion and laborious flight
We ſunk thus low? Th' aſcent is eaſy then;
Th' event is fear'd; ſhould we again provoke
Our ſtronger, ſome worſe way his wrath may find
To our deſtruction; if there be in Hell
Fear to be worſe deſtroy'd: what can be worſe
Than to dwell here, driv'n out from bliſs, condemn'd
In

V. 75. There is a beautiful *ſimile* in theſe words artfully conveyed to the mind without expreſſing it; we conceive the infernal ſpirits to reſemble pyramids of fire, whoſe proper motion is to aſcend. You may remark that the firſt part of his anſwer to the objection is *irony*, and the ſecond *interrogation.*

V. 78. *Hung on our broken rear, inſulting.* Metaphor and imagery.

V. 81. The concluſion is as laconic as the anſwer was diſdainful; upon the back of which he immediately ſtarts another objection, which he likewiſe ſolves by an angry interrogation: *Some worſe way his wrath may find—What can be worſe,* &c.—*Driven out from bliſs,* &c. Here begins an awful deſcription of their torments, that he may rouſe them to continue on the impious war.

V. 90.

In this abhorred deep to utter woe;
Where pain of unextinguiſhable fire
Muſt exerciſe us without hope of end,
The vaſſals of his anger, when the ſcourge
Inexorable, and the torturing hour
Call us to penance? More deſtroy'd than thus
We ſhould be quite aboliſh'd and expire.
What fear we then? what doubt we to incenſe
His utmoſt ire? which to the height enrag'd,
Will either quite conſume us, and reduce
To nothing this eſſential; happier far
Than miſerable to have eternal being:
Or if our ſubſtance be indeed divine,
And cannot ceaſe to be, we are at worſt
On this ſide nothing; and by proof we feel
Our pow'r ſufficient to diſturb his Heaven,
And with perpetual inroads to alarm,
Though

V. 90. *Vaſſals*; a metaphor. The perſonifying of *ſcourge*, and rendering it *inexorable* is beautifully conceived; we may make the ſame remark with regard to the *torturing hour calling them to penance*. After his Solution of the objection, he urges them with two more interrogations: *Incenſe his ire*, metaphor—*Conſume us*, another metaphor—*Reduced to nothing*; by varying this metaphor on, it becomes an allegory—*Eſſential*, adjective uſed ſubſtantively.

V. 103. *Perpetual inroads*; alluſion to the chance of invading Heaven—*To alarm his throne*, a ſynecdoche, the containing, for the contained.

Though inacceſſible, his fatal throne:
Which, if not victory, is yet revenge. 105

This ſpeech conſiſts of three parts. In the firſt Moloch exhorts the fallen ſpirits to get clear of their torments as ſoon as they can, by uſing them as arms againſt the tormentor. In the ſecond part he ſtarts two objections, and ſolves them. And in the third, he proves by experience that they can diſturb Heaven, which, as it is revenge, is the only ſatisfaction he deſires. The only means of perſuaſion which he makes uſe of are the lively colors, in which he paints their dreadful ſituation, which he now and then ſtrengthens with the hopes of revenge *.

V. 104. *Though inacceſſible*; a forced confeſſion, which he ſuddenly makes amends for, by crowning his ſpeech with this deſperate line: *Which if not victory, is yet revenge.*

* It may be worth while to obſerve, ſays Addiſon, that Milton has repreſented this violent, impetuous ſpirit, who is hurried on by ſuch precipitate paſſions, as the firſt that riſes in that aſſembly, to give his opinion upon the preſent poſture of affairs; accordingly, he declares himſelf abruptly for war, and appears incenſed at his companions for loſing ſo much time as even to deliberate upon it. All his ſentiments are raſh, audacious, and deſperate.

Belial's Speech.

I ſhould be much for open war, O Peers!
As not behind in hate, if what was urg'd
Main reaſon to perſuade immediate war,
Did not diſſuade me moſt, and ſeem to caſt
Ominous conjecture on the whole ſucceſs;
When he who moſt excels in fact of arms,
In what he counſels and in what excels
Miſtruſtful, grounds his courage on deſpair
And utter diſſolution, as the ſcope
Of all his aim, after ſome dire revenge.

First,

V. 119. The opening of this ſpeech is the very reverſe of the former. Belial, like a politic ſpeaker, begins conditionally, and not to hurt the feelings of the oppoſite party, ſeems, by half aſſent, not to be entirely averſe to their ſentence.

V. 120. *If what was urg'd*, &c. He artfully takes his anſwer from the very bowels of the foregoing ſpeech, and turns Moloch's motive of perſuaſion into the ſtrongeſt reaſon for declining immediate war.

V. 126. *Miſtruſtful:* He refutes Moloch from his own ſpeech, by ſhewing that he was counſelling them to a war which, at beſt, would end in diſſolution.

V. 127. *The ſcope of all his aim:* Metaphor, taken from ſhooting.

Firſt, what revenge? the tow'rs of Heav'n are fill'd
With armed watch, that render all acceſs
Impregnable; oft on the bord'ring deep
Encamp their legions, or with óbſcure wing
Scout far and wide into the realm of night,
Scorning ſurpriſe. Or could we break our way
By force, and at our heels all Hell ſhould riſe
With

V. 129. *Firſt what revenge?* Here he begins by interrogation to enter into the particulars of Moloch's ſpeech, and goes on to refute him by *expoſition* and *deſcription*.

V. 131. *Bordering deep*: An image.

V. 132. *Obſcure wing*: The place they flew in was obſcure, not their wings; this is therefore a metaphorical tranſlation of obſcurity, from the containing to the contained.

V. 133. *Realm of night*: Alluſion to the perſonification of night, which takes place in another part of this work.

Here he refutes Moloch's propoſal of forcing his way into Heaven, by ſhewing them that there are *legions encamped*, that there is an *armed watch*, and that there are ſcouts reconnoitering round the borders of Heaven.

V. 134. *Or ſhould we break our way*: A figure of *conceſſion*. After proving the impoſſibility of getting into Heaven, and ironically granting that Moloch's fury has notwithſtanding effected it, he ſhews the abſurdity of the attempt, by holding forth the ſtrongeſt of all poſſible reaſons againſt it, that is, the incorruptibility and the impaſſibility of the God-head.

V. 135. *All hell*: A metonymia; or the place for the inhabitants.

V. 136.

With blackeſt inſurrection, to confound
Heav'n's pureſt light, yet our great enemy
All incorruptible, would on his throne
Sit unpolluted, and th' ethereal mould,
Incapable of ſtain, would ſoon expel
Her miſchief, and purge off the baſer fire
Victorious. Thus repuls'd, our final hope
Is flat deſpair: we muſt exaſperate
Th' almighty victor to ſpend all his rage,
And that muſt end us, that muſt be our cure,
To be no more; ſad cure; for who would loſe,
Though full of pain, this intellectual being,
Thoſe thoughts that wander through eternity,
To periſh rather, ſwallow'd up and loſt
In the wide womb of uncreated night,

Devoid

V. 136. *Blackeſt inſurrection*: Metaphorical alluſion to the ferocity of Moloch, and to the arms he meant to make uſe of.

V. 139. *Ethereal mould*: An allegory drawn from chemiſtry.

V. 145. An affecting *repetition*, on ſeeing the reſult of Moloch's reſolution—*To be no more!* a ſentimental *pauſe*, followed by a well-timed *exclamation*. The contraſt of exiſtence and annihilation, in the four ſucceeding lines, is wonderfully calculated tó deter them from the attempt.—*Swallow'd up in the wide womb of uncreated night!* is a grand inſtance of figurative imagery.

V. 153.

Devoid of ſenſe and motion? and who knows,
Let this be good, whether our angry foe
Can give it, or will ever? how he can
Is doubtful; that he never will is ſure.
Will he, ſo wiſe, let looſe at once his ire,
Belike through impotence, or unaware,
To give his enemies their wiſh, and end
Them in his anger, whom his anger ſaves
To puniſh endleſs? Wherefore ceaſe we then?
Say they who counſel war, we are decreed,
Reſerv'd, and deſtin'd to eternal woe;
Whatever doing, what can we ſuffer more,
What can we ſuffer worſe? Is this then worſt,
Thus

V. 153. *Can give it, or will ever?* Here he again foils Moloch on his own ground; ſuppoſing diſſolution to be a good, he proves it can never happen, by this argument; it will depend either on the power or on the will of the Almighty. Now it is very probable he has not the power, and it is moſt certain he has not the will, therefore diſſolution can never happen.

V. 155. *Let looſe his ire:* Metaphor, taken from wild beaſts.

V. 156. *Belike:* Ironical expreſſion.

V. 158. *End them in his anger, whom his anger ſaves to puniſh endleſs?* This is a beautiful and happy antitheſis.

V. 163. Here he propoſes his adverſary's objection, and immediately anſwers by an interrogation. The force of the anſwer

Thus ſitting, thus conſulting, thus in arms?
What, when we fled amain, purſued and ſtruck
With Heav'n's afflicting thunder, and beſought
The deep to ſhelter us? this Hell then ſeem'd
A refuge from thoſe wounds: or when we lay
Chain'd on the burning lake? that ſure was worſe.
What if the breath that kindled thoſe grim fires,
Awak'd ſhould blow them into ſev'nfold rage,
And plunge us in the flames? or from above
Should intermitted vengeance arm again
His red right-hand to plague us? what if all
Her ſtores were open'd, and this firmament
Of Hell ſhould ſpout her cataracts of fire,
Impendent horrors, threat'ning hideous fall

One

anſwer lies in contraſting their preſent ſituation with the plight they had been in, when they were ſtruck with Heaven's afflicting thunder.

V. 167. *Beſought the deep to ſhelter us?* The moment that the damned were driven to Hell, was a very favorable one for making uſe of a *Proſopopeia.*

V. 170. *Breath that kindled,* &c. Metaphor—*Grim fires,* another Metaphor, borrowed from the countenances of the inhabitants.

V. 173. This perſonification of vengeance is exceedingly ſublime, and full of terrible imagery.

V. 176. *Spout her cataracts of fire:* This pouring down of fire, in the manner of water, is a fine inſtance of catachreſis. *Impendent horrors;* ſynecdoche and image.—*Threatening;* metaphor.

One day upon our heads; while we perhaps
Deſigning or exhorting glorious war,
Caught in a fiery tempeſt ſhall be hurl'd
Each on his rock transfix'd, the ſport and prey
Of wracking whirlwinds, or for ever ſunk
Under yon boiling ocean, wrapt in chains;
There to converſe with everlaſting groans,
Unreſpited, unpitied, unrepriev'd,
Ages of hopeleſs end? this would be worſe.
War therefore, open or conceal'd, alike
My voice diſſuades; for what can force or guile
With him, or who deceive his mind, whoſe eye
Views

metaphor. This ſeries of interrogations is extremely animating.

V. 179. Irony.

V. 180. Alluſion to the torments of *Erebus*.

V. 184. *Converſe with groans:* A ſynecdoche.

V. 186. *Ages of hopeleſs end:* An inſtance of conciſe writing; inſtead of *during ages of which there is no hopes of ſeeing an end.* By the foregoing ſhocking picture of redoubled tortures, Belial has effectually cruſhed the objection of Moloch: *What can we ſuffer more? What can we ſuffer worſe?* He therefore now at laſt, while the minds of his audience are heated with the horrid diſplay he had made, gives his own opinion: *War therefore, open or conceal'd, alike my voice diſſuades.*

V. 189. *Who deceive his mind:* Having refuted Moloch's propoſal of carrying on open war, he now gives a reaſon why he

Views all things at one view? he from Heav'n's height
All theſe our motions vain ſees and derides;
Not more almighty to reſiſt our might
Than wiſe to fruſtrate all our plots and wiles.
Shall we then live thus vile, the race of Heaven
Thus trampled, thus expell'd to ſuffer here
Chains and theſe torments? better theſe than worſe
By my advice; ſince fate inevitable
Subdues us, and omnipotent decree,
The victor's will. To ſuffer, as to do,
Our ſtrength is equal, nor the law unjuſt
That ſo ordains: this was at firſt reſolv'd,
If we were wiſe, againſt ſo great a foe
Contending,

he is equally averſe to covert guile, which is the ſecond part of the ſubject of the debate. *Whoſe eye views all things at one view?* This pleonaſm was neceſſary here, to ſhew how eaſy it would be to the Almighty to baffle their ſtratagems. His ſubmitting their preſent debatings to the eyes, and to the deriſion of the Almighty, is a trait of maſterly eloquence.

V. 192, 193. Theſe two connected and dependent antitheſes, refute at once, with elegant conciſeneſs, all that can be ſaid for *war, open or conceal'd.*

V. 194. Here he reſumes the objection, in order to cruſh it for ever, by declaring that fate itſelf works againſt them.

V. 200. He propoſes his own opinion, which is that of bearing their pains as well as they can, ſince they have equal ſtrength to ſuffer as well as to do.

V. 207.

Contending, and ſo doubtful what might fall.
I laugh, when thoſe who at the ſpear are bold
And vent'rous, if that fail them, ſhrink and fear
What yet they know muſt follow, to endure
Exile, or ignominy', or bonds, or pain,
The ſentence of their conqu'ror: this is now
Our doom; which if we can ſuſtain and bear,
Our ſúpreme foe in time may much remit
His anger, and perhaps thus far remov'd
Not mind us not offending, ſatisfy'd
With what is puniſh'd; whence theſe raging fires
Will ſlacken, if his breath ſtir not their flames.
Our purer eſſence then will overcome
Their noxious vapour, or inur'd not feel,
Or chang'd at length, and to the place conform'd
In

V. 207. *Enumeration.*

V. 210. For further reaſons of endurance, he mentions the vaſt diſtance they are off from Heaven, and that perhaps the Almighty may one day forget to puniſh them, or may ſoften their chaſtiſement, as they ſhall have ceaſed to offend.

V. 214. *If his breath ſtir not their flames:* A ſcriptural metaphor.

V. 215. He here amaſſes a number of ſuppoſitions, to engage them to hope the beſt, if they are peacefully inclined: *They may overcome the noxious vapor*; or *be inured to it*; or *their temper may be changed*; or *the heat may grow familiar*; and, therefore, the place may become more habitable.

V. 221.

In temper and in nature, will receive
Familiar the fierce heat, and void of pain;
This horror will grow mild, this darkneſs light,
Beſides, what hope the never-ending flight
Of future days may bring, what chance, what change
Worth waiting, ſince our preſent lot appears
For happy though but ill, for ill not worſt,
If we procure not to ourſelves more woe.

V. 221. *The never-ending flight of future days*, is a beautiful metaphor to expreſs the lengthening out of eternity.

V. 224. In this beautiful antitheſis, he again alludes to the objection, and owns that though the ſituation is not enviable, ſtill it is not the worſt, as his violent antagoniſt would have it; and then concludes his ſpeech as gracefully and as calmly as he began it, by a wiſe caution not to add to their preſent miſeries. Belial is deſcribed in the firſt book, as the idol of the lewd and luxurious. He is, in the ſecond book, purſuant to that deſcription, characteriſed as timorous and ſlothful; and if we look in the ſixth book, we find him celebrated, in the battle of Angels, for nothing but that ſcoffing ſpeech which he makes to Satan, on their ſuppoſed advantage over the enemy. As his appearance is uniform, and of a piece, in theſe three ſeveral views, we find his ſentiments in the infernal aſſembly every way conformable to his character. Such are, his apprehenſions of a ſecond battle, his horrors of annihilation, his preferring to be miſerable rather than *not to be*. I need not obſerve that the contraſt of thought and expreſſion in this ſpeech, and that which precedes it, gives an admirable variety to the debate.

POSTSCRIPT.

BRITISH
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MUSEUM

POSTSCRIPT.

I Might have obſerved in its proper place that Rhetoric borrows ſome of its beſt rules from its ſiſter ſcience Geometry: it is Geometry which teaches us the effect of a proper arrangement of principles and propoſitions, conſtituting a gradation of truths, each ariſing out of that which preceded it, and all mutually ſupporting and confirming one another *.

But I have purpoſely detached it from the *fond*, and given it this *relief*, that it may ſtrike your eye more forcibly at this moment when I am going to recommend to you to be

* The Chancellor D'Agueſſau ſomewhere ſays:

Par un ſecret enchainement de propoſitions egalement ſimples et evidentes, l'eſprit eſt conduit de verités en verités; en ſorte que l'on eſt ſurpris de voir que la ſimple methode a ſervi de preuve, et que l'ordre ſeul a produit la conviction.

very familiarly and habitually acquainted with Geometry, for a purpoſe, which, on the firſt mention of it, you will ſcarce believe Geometry can have any thing to do with, but, to which I hold the art of reaſoning geometrically, or rather a habit of thinking geometrically, is eſſentially neceſſary; I mean for the purpoſe of enabling you to acquire the talent of extracting teſtimony from the mouths of witneſſes; a talent which, though very much if not altogether neglected, ſeems indiſpenſable in your profeſſion, inaſmuch as almoſt all enquiries into matters of fact, (where the proceeding is according to the rules of the common law of England,) are conducted by an examination of witneſſes, *viva voce*.

It occurred to me, ſince I finiſhed what I had to offer to your conſideration upon the principal ſubject, that an Engliſh advocate muſt often employ himſelf in collecting the materials for a good ſpeech from the mouths of witneſſes, before he could have occaſion to combine the principles of Logic and Rhetoric in the compoſition of it: the

next

next thought that occurred to me was, Whether this was ſo eaſy a thing, and quite ſo much of courſe, as I preſume every body are agreed to ſuppoſe it to be. Revolving in my own mind the nature of oral teſtimony, from what ſources, and under what an infinite variety of circumſtances it is to be obtained, having often had occaſion to obſerve men of eminence at the bar, almoſt univerſally unſucceſsful in this branch of their profeſſion; and having had occaſion, very lately, to obſerve, that men of the very firſt talents and abilities, not of the profeſſion, a bright conſtellation of parts, induſtry, and learning; men ſuperior to all the world in all other accompliſhments, ſinking almoſt below ridicule when they were called upon to conduct a work which they had not been uſed to, the management of evidence, before an auguſt tribunal, I began to think that I had diſcovered that the examination of witneſſes was, in ſome degree, of a technical nature, and that there muſt be certain principles on which it ought to be founded, and rules by which it ſhould be conducted.

I confeſs this is quite a new idea: hitherto this ſubject ſeems to have been attended to by nobody; young men ruſh into this branch of buſineſs, flounder on, and manifeſt their zeal by hazarding all ſorts of queſtions to witneſſes, as they happen to come uppermoſt, loſe a hundred cauſes by bad management, and ſo purchaſe a degree of caution, and a ſort of clumſy facility of getting on; and this has been ſuffered to paſs.

A want of ſkill and dexterity is not the ſort of reproach which is uſually caſt upon the Engliſh bar, touching the examination of witneſſes. People are ready enough to take for granted the dexterity of bar examination, and only complain that it is too malapert, and that too great a licence is uſed. I ſtrongly ſuſpect that this imputation, ſuppoſing it to be well founded, lies deeper than we are aware of; it never can be the intereſt of advocates to treat witneſſes ill. If ever they ſeem to do it, perhaps it is becauſe they do not know how to come at their point in any other way. The advocate who feels that a witneſs has kept back the truth, or

ſpoken

ſpoken a falſehood, and does not know how to detect the one, or extract the other, by a ſeries of queſtions logically and geometrically deduced, feels very angry, and juſtly, but is unfortunate in having no vent for his anger but by raiſing his voice, and talking of perjury and the pillory.

I muſt agree that intemperate behaviour to witneſſes is at once weak and indecent: the dignity of a court of juſtice is deeply injured by it. But I maintain that it is the right and the duty of an Engliſh advocate to doubt of every thing which is ſaid by a witneſs, and to try every thing by every poſſible teſt, and, barring all familiarities, perſonalities, and a ſomething, which I can only deſcribe by the vulgar term *brow-beating*, to ſift every witneſs to the bottom, and to put his teſtimony to the ſevereſt torture.

My complaint is, that this is not done; that nobody ſeems to know how to ſet about it; that the examination of witneſſes is not cultivated as a matter of ſcience; that there are no inſtructions upon the ſubject; no models

to be found by which a young advocate may form himſelf.

I am not equal to the taſk of drawing up proper inſtructions, or of treating the ſubject in a regular didactic way, but I think I can ſuggeſt a few hints, which may not be altogether unworthy of a young man's attention.

We muſt lay our foundation in the nature of things. Our object is to extract teſtimony from the mouths of thoſe who are conſcious of the facts which are the ſubject of enquiry; conſequently we have to deal with witneſſes of all deſcriptions endowed with the moral and natural qualities of the human mind, with innumerable ſhades of difference, in whom the powers of ſenſe, the original inlets to all perception, are more or leſs active and exquiſite, with variations almoſt infinite. The mental as well as the viſual ray, has its different refractions, according to the different mediums through which it paſſes. There is therefore a degree of imperfection and uncertainty in the very nature of human teſtimony, and there may be a difficulty in aſcertaining

taining facts with preciſion from the mouths of witneſſes of the beſt credit, from men the moſt collected and the moſt accurate.

What a field for critical obſervation and diſcrimination do the different characters of witneſſes, their different endowments, their different ſituations, both poſitive and relative, open to our ſpeculation! But I perceive that I am advancing too far into my ſubject. Let us begin to examine our witneſs; firſt, however, let me aſk, have you a clear and comprehenſive idea of the points to be maintained, of the outline of the facts of your caſe, of the place and order in which every circumſtance already diſcloſed, or to be diſcloſed, or probably exiſting in the caſe, range themſelves to fill that outline; of the conſiſtence or inconſiſtence of teſtimony given, or to be given, with all the collateral circumſtances which may come out in evidence? If you are ſo far maſter of your caſe, and you know how to digeſt your materials into queſtions adapted to your purpoſe, and properly arranged, you may begin to examine. By this time, I think, you will be ready to con-

feſs, that I had good reaſon for recommending to you to make yourſelf familiar with geometry. Without the habit of thinking logically and geometrically, you will feel that it is impoſſible that you ſhould acquire that facility and dexterity in framing and arranging your queſtions, which is neceſſary to enable you to conduct an examination with effect.

I will ſuppoſe you thus far qualified to enter upon this ſort of buſineſs, and that you are to conduct an original examination, for the purpoſe of eſtabliſhing the facts of your caſe, out of which the right to be inſiſted upon on behalf of your client is to ariſe. Begin with leading your witneſs to the point from whence he is to ſet out: take care to keep him in his road; ſee that he drops nothing by the way; if you find that he has left a chaſm in his evidence, remember to put proper queſtions to him to fill it up; if parts of his evidence ſhould require explanation, put him upon giving the proper explanations: your buſineſs will be to take care that your witneſs deliver a clear and a connected teſtimony;

mony; and above all, to obſerve that the thread of his narration be not broken; for then all will be confuſion and thick darkneſs.

As theſe rules are obſerved or neglected, you will ſee one advocate dexterouſly leading an ignorant witneſs into his ſubject, and carrying him through a long examination in a clear and luminous order, without difficulty, or even heſitation on the part of the witneſs: and another, after labouring for an hour to get him from the alehouſe, the *terminus a quo* of every vulgar narrator, finding himſelf entangled, the cart before the horſe, unable to proceed, with all that has been ſaid, perfectly unintelligible. I remember to have heard of a perſon in a judicial character, who was ſo teized by the preſſure of that ſort of confuſion, as to break out, after many vain efforts to diſentangle himſelf, into this exclamation;—"Either I am the dulleſt fellow "ever lived, or thou art the moſt incom-"prehenſible raſcal I ever heard!"—"I "don't know how that may be," replied the witneſs, with a provoking *ſang froid*, "but I was behind the tub, as I told you "before."

"before." And after the explanation, the thing remained as inexplicable as before.

Perhaps you are next to croſs-examine your adverſary's witneſs. Croſs-examination, in its proper ſenſe, means ſifting and trying teſtimony given on the adverſe part. This is a very delicate operation; it requires a piercing eye, quick apprehenſion, great ſagacity, and infinite addreſs. The advocate muſt ſee in an inſtant the whole effect of the teſtimony which he is about to ſift; its bearings upon every part of the caſe; his own caſe, as well as that of his adverſary; its ſtrong and its weak places: he ſhould know the mechaniſm of the human mind; be able to trace the paſſions through all their workings: he muſt be able to diſcern the character of the witneſs, read his thoughts in his countenance, and anticipate them: an able and judicious advocate, who has laid his foundation well, and is practiſed in his buſineſs, and ſufficiently inſtructed by his brief, will generally catch all this, as it were, intuitively: but if he happens not to have ſo clear and comprehenſive a view of every thing as he could wiſh, he will carefully

carefully reconnoitre the ground before he attempts any attack: he will obſerve two golden rules; *He will never aſk a queſtion, without having a good reaſon to aſſign for aſking it; and he will never hazard a critical queſtion, without having good ground to believe that the anſwer muſt be in his favor.*

How often may a cloſe obſerver of the buſineſs at *Niſi Prius* have ſeen facts and circumſtances, which were eſſential to the adverſary's caſe, and had been left ſhort, or entirely forgot in the original examination, brought out or clenched by a ſuperfluous or an unguarded croſs-examination? I remember to have heard of an advocate of ſome eminence, who was very ſubject to this infirmity of random croſs-examination, and who, when he had damned his client's cauſe by an injudicious queſtion, uſed to exclaim with great complacency; *I thought ſo—I am very glad the truth is come out:* having left himſelf nothing to do, but to fold up his brief and walk out of court.

A judicious advocate, when he has diſcovered in what part the witneſs is moſt vulnerable

nerable, will not be too eager to make his thruſt in croſs-examination: he will firſt conſider, whether the blot in the teſtimony be a proper ſubject for croſs-examination, or for obſervation upon the evidence; uſing it in the latter way, he has the advantage of taking it with all its imperfections; whereas the propoſing a queſtion upon it, puts the witneſs upon his guard, and enables him to introduce qualifications and explanations, and thereby to ſet himſelf right, and to avoid the whole force of the obſervation, which, in its original ſtate, it was expoſed to.

Croſs-examinations are not unfrequently uſed as the means of introducing obſervations and criticiſm upon the evidence in the ſhape of queſtions to which no anſwer can be given, nor is any expected. This appears to me to be an irregular and a miſchievous practice; looſe, miſplaced, not ſufficiently pointed, and too much detached; ſuch obſervations ſeldom have any effect at the time, and they fail of their effect in the proper place, being benumbed by the dullneſs of repetition.

If

If theſe very looſe hints were attended to, croſs-examinations would become always harmleſs, and might happen ſometimes to be uſeful. They would certainly be very much reduced in their length; but I propoſe to reduce them within a ſtill narrower compaſs.

By a ſtrange abuſe of croſs-examination, the Engliſh bar are in the habit of examining the adverſary's witneſs to new matter, under the colour of croſs-examining. I have a third golden rule, which will correct this very bad practice, *Never attempt to prove by your adverſary's witneſs, what you are prepared to prove by your own.* There is a ſort of triumph in forcing your adverſary to prove your caſe, and ſo deſtroying him by his own evidence: but it very rarely happens that the attempt ſucceeds, and the failure, which will happen nine times in ten, is by no means a matter of indifference to your cauſe. If the witneſs denies the fact you wiſh him to prove, you are then to ſet out with having your caſe denied upon oath, which you might have avoided: and if you happen to have but one witneſs on your part, you bring upon yourſelf the

the puzzle, which one witneſs againſt one neceſſarily introduces: but your adverſary's witneſs may do worſe; he may admit your fact, and clog it with ſuch circumſtances as ſhall render it of no uſe to you. Many a defence has been cut up by the roots in that way. Once in a thouſand times good uſe may be made of an examination of this kind. The fact may be ſo notorious, and ſo capable of proof, and ſo incapable of explanation, that to deny it, or to attempt to explain it, would blaſt the witneſs's credit entirely; but this ſo rarely happens, and the hazard of diſcloſing your caſe too ſoon, and putting it in your adverſary's power to anticipate it, is ſo great, that I adhere to my general rule. By way of illuſtration, I will relate a circumſtance which happened in the memorable caſe of the proſecution of a man of faſhion, ſome few years ago, for a rape. There was an application to the court of King's-Bench to admit the party accuſed to bail. Upon that occaſion, ſome of the leading circumſtances of his defence were diſcloſed in an affidavit, which was laid before that court. The noble judge, who preſided

ſided in that court, and *who ſhould have been immortal*, obſerved, that the party accuſed muſt have great confidence in his innocence to venture to diſcloſe ſo much of his defence, before the trial. When the trial came on, the counſel for the priſoner had the mortification to find themſelves ſtripped of almoſt the whole of their defence. All the circumſtances which had been diſcloſed in the affidavit, were now interwoven into the proſecutor's evidence, and made a part of the accuſation. One of thoſe circumſtances was, that on the morning which ſucceeded the fatal night, when the deed was done, the lady had made up, diſtributed in the family, and herſelf worn wedding favors. This ſeemed a circumſtance not to be explained by one who complained of having been raviſhed. The lady, in giving her evidence, after ſtating the horrors of the night, threw into her narration, that they had had the cruelty and barbarity to add inſult to diſhonor, by compelling her to make up, diſtribute, and wear their deteſtable favors. In any view of this caſe, it was highly injudicious to diſcloſe ſuch circumſtances.

cumſtances. If the party accuſed was guilty of the crime imputed to him, theſe circumſtances, whatever might be the complexion of them, muſt have been capable of explanation; and when explained, might be made conſiſtent with guilt. In which caſe, there could be no hope of deriving any advantage from them to the party accuſed, but from their being firſt diſcloſed at the trial; when, on the ſudden, it might have been difficult to have given the explanation.

If the party accuſed was innocent, and there was a wicked combination to accuſe him, would the conſpirators heſitate to add more falſehoods to their falſe teſtimony, by denying or proceeding yet more artfully and effectively, by anticipating, qualifying, and explaining away every thing which they were thus appriſed, was meant to be inſiſted upon by way of defence.

I have claimed for the Engliſh bar the undoubted right of ſifting to the very bottom the teſtimony of the moſt upright witneſſes. I claim it for them upon this principle, that human teſtimony is in its own nature uncertain.

tain. Philoſophers doubt whether any two men perceive the ſame object exactly in the ſame manner. Moſt undoubtedly men of unqueſtionable integrity do very often perceive the ſame object in very different manners. They muſt relate what they have perceived in very different manners. To which of two ſuch witneſſes are we to give implicit credit, becauſe he is a man of unqueſtionable integrity? We muſt ſift and try the teſtimony of both by ſuch teſts as collateral circumſtances happen to furniſh.

The neceſſity of doing it in this caſe is apparent: but if two men of integrity may differ in their perceptions, and conſequently, in their teſtimony, it follows that every man of integrity may be miſtaken; and it becomes equally neceſſary that the teſtimony of every man of integrity whether actually oppoſed or not, ſhould be open to all poſſible examination and trial; and therefore, let the witneſs, who is *omni exceptione major*, not feel himſelf offended, if he is queſtioned with all the ſtrictneſs which the ſtrongeſt grounds of ſuſpicion could, in his judgment,

warrant. He has nothing to do but to keep himſelf cool, and give direct anſwers. A plain countryman, with his *Yes* and *No*, never fails to diſconcert the moſt captious examiner of a witneſs the bar can furniſh. But if witneſſes will have favorite notions and opinions, will be anxious to defend them, will put themſelves in a poſture of defence, and parry the thruſts that are made againſt them, they muſt not complain if they find themſelves in difficulties; the fault lies on their own ſide.

The claim to an unlimited freedom of examination being thus irreſiſtible, and the exerciſe of it abſolutely neceſſary, it follows that the advocate is unequal to his duty, if he does not know how to execute it: but in executing it, let him take care not to contract the very bad habit of exerciſing his talent without a careful diſcrimination of objects. Milton did well to arm Ithuriel with a ſpear of ſo divine a temper, that its touch was the teſt of truth: but if he had made Ithuriel try it upon the angel Gabriel, as well as upon the fiend, he would have made him do a very impertinent thing.

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When an advocate teazes a fair witneſs unneceſſarily, he diſgraces himſelf, and endangers his cauſe. If you doubt his accuracy, try it by circumſtances, but treat him with reſpect: let your countenance mark to him neither ſurpriſe nor diſſatisfaction, nor any other emotion, which may diſcover to him that you entertain doubts.

Indeed I ought to lay it down as a fourth golden rule, that *the advocate, who has the conduct of* VIVA VOCE *examination muſt be maſter of himſelf, and acquire a perfect command of his countenance on the moſt trying occaſions.* Many a cauſe has been ruined by the advocate not being able to conceal that he was thunderſtruck by ſome circumſtance coming out unexpectedly. There was one gentlemen at the Engliſh bar, ſome years ago, who was perfectly proof againſt this ſort of impreſſion. I have been told, on a very deciſive circumſtance coming out againſt him, that the perſon who ſat next to him, whiſpered in his ear, *You are undone:* he anſwered, with a countenance, in which not the

leaſt emotion could be traced—*Huſh, the chance of war!*—He ſucceeded. This gentleman had the double advantage of reading the diſtreſſes of others in their countenances, as eaſily as he concealed his own.

I have told you how a fair witneſs ſhould be treated; let us go to the other extreme, and ſuppoſe you were to croſs-examine a determined villain, it will be your duty to ſurround him, to preſs him, to diſtreſs him, and to expoſe him: but let it be done fairly. Think of him as of a determined villain, but addreſs him as a witneſs under the protection of a court of juſtice, not yet demonſtrated to be other than an honeſt man. Let the evidence you draw from him, make the impreſſion of his character.

It is impoſſible to ſtate a caſe in which a witneſs ſhould be treated roughly. If you attempt it, every one feels offended in the perſon of the witneſs. You make your work more difficult; the witneſs ſhuts himſelf up, conſiders you as his enemy, and ſtands upon his defence: whereas an open countenance,

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and an eaſy, inſinuating addreſs, unlocks his breaſt, and diſarms him of his caution, if he has any.

Looſe as theſe hints are, if you will give yourſelf the trouble to attend to them, I think I may promiſe you that you will have an advantage over thoſe who examine at random. I even perſuade myſelf that you might acquire a conſiderable degree of dexterity in this important branch of your profeſſion: but let me entreat you to take care not to acquire this dexterity at the expence of common honeſty, as Doctor Hill uſed to ſay, *There is more reaſon for this caution than good men would think.*

I am afraid that the practice of *Niſi Prius* has been known ſometimes to deſcend to the very verge of illiberality. The ſituation of an advocate at *Niſi Prius* expoſes him to a good deal of danger. It is his duty to ſtrain every nerve in the way of reaſon and argument, to ſupple and bend the evidence, that it may, if poſſible, take that ſhape which will ſupport the cauſe for which he is retained; and the intereſts of truth are promoted by it,

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by being repreſented in every poſſible light, the true one, in which every caſe ought to be ſeen, will be diſcovered; and, therefore, I hold it to be a very unneceſſary and a dangerous refinement in a French *avocat*, of the firſt rank and credit in his profeſſion, who declined to act as an advocate in a cauſe, in which his opinion upon the mere right happens to be againſt his client: I call this a dangerous refinement; for, what if his opinion ſhould happen to be erroneous, the client deprived of the right which he has, to h his cauſe managed in the beſt manner, a repreſented in the moſt favorable light b thoſe profeſſional talents in which he has t moſt confidence, which is a ſubſtantial inju to him; and the advocate goes out of his w and beyond the limits of his profeſſional c racter, for it was not his office to decide up the right.

It is well if ſome of our moſt famous a vocates have not erred on the other ſide, the conduct of *viva voce* examinations, ſo e tirely devoting themſelves to the intereſts their clients, as to loſe ſight of every oth

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object. I am perſuaded, there is not a man in the profeſſion, who would wilfully miſrepreſent what a witneſs has ſaid in his examination, or repreſent him to have ſaid what he never meant to ſay, or intentionally drive him to ſay what he knew the witneſs never meant to ſay, and yet by intenſe thinking on one ſide of a caſe, our advocates are ſo apt to fall into ſuch a kind of habitual miſrepreſentation of every thing which can be miſrepreſented, that I have been told, it very ſeldom happens that the advocates on both ſides, have been able to agree in the repreſentation of the facts which have appeared in evidence in a *Niſi Prius* cauſe.

It ſeems to me as if the duty impoſed upon an advocate, of endeavouring to bring every circumſtance to bear upon his own caſe, and againſt his adverſary's, inſenſibly produces a diſpoſition to ſee every circumſtance as it ariſes through that medium; and that the impreſſion upon his mind is rather that which is the favorable one to his client, than that which is the true one; and, conſequently, if he does not watch himſelf narrowly, that he

he will, without intending it, habitually and neceſſarily miſrepreſent every thing that paſſes. But, I hope, that in the very outſet of your profeſſional career, you will guard yourſelf on this ſide, and carefully avoid contracting a habit which always has the appearance of great illiberality. Make a point of ſtating evidence as it is, and not as you wiſh it to be; of repeating a witneſs's words, if you have occaſion to repeat them, literally: let your comment and your gloſs be kept apart from your text; in its proper place let it be as ingenious as you pleaſe: if there is a fallacy in it, it is the province of others to examine and to detect it: I repeat that the cauſe of truth is aſſiſted by the different lights, true and falſe, in which facts are placed by the advocate: but it is perplexed and perverted by the practice of miſrepreſenting facts.

There is another abuſe in the practice of advocates at *Niſi Prius*, which I have already alluded to, which I am very anxious to guard you againſt. Have you never ſeen a witneſs ſo teazed and haraſſed, as to find no reſource but in quietly ſubmitting to be underſtood

derſtood to have ſaid what he never meant to ſay? I have heard of one eminent advocate in particular, who had a manner of putting words into a witneſs's mouth, and gathering them up, and returning them to him again, if he rejected them, till it became ſolutely impoſſible for him not to ſeem to r thoſe words, and equally impoſſible for im to utter any other words which ſhould ontradict them. This gentleman was ſaid have himſelf given more evidence in ſes, in this way, than his witneſſes had one.

This is the dexterity of a juggler, who, profeſſing to permit you to draw a card from the pack, and to tell you without looking at it what the card is, takes care ſo to hold, and ſo to ſhuffle the cards, that it is impracticable for you to draw any card but that upon which he has ſet his mark. Surely, if this is to be defended, it is no longer to be deemed forgery to put a pen between the fingers of a dead man, and by conducting his hand, make him write his own name.

There is an anecdote of an eminent Ser-

jeant at Law, who had diſtinguiſhed himſelf by this ſort of dexterity: when his conſtitution declined, and his ſpirits were broken, being ſeen often in tears, and giving this explanation of his diſtreſs to his friends, *I am thinking how many poor families I have ruined for the ſake of a* NISI PRIUS *victory.*

Do you, my young Friend, diſdain the unworthy artifices: your birth, your education, your feelings, I add, the rank and dignity of your profeſſion, and let all *Niſi Prius* men attend to me, place you far above them. It is diſhonourable to have recourſe to them. They are baſe chicanery, rank injuſtice, and foul wrong to him who has the right: whereas, the true reſult of your keeneſt profeſſional exertions, on the behalf of your client within the proper line of your duty, even where your client is in the wrong, and you think him in the wrong, will be, that he has the ſatisfaction of knowing that his cauſe has been fully diſcuſſed, with every poſſible advantage to him; and that in the end, truth will, as it ought to do, prevail.

FINIS.

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